

5631. Also, petition of citizenship chairman, Mountain State Farm Women's Club of Roneys Point, W. Va., opposing the repeal of the neutrality law and the cash-and-carry system; to the Committee on Foreign Affairs.

5632. Also, petition of Mrs. John Besco and other citizens of Triadelphia, W. Va., urging no change in the present neutrality law; to the Committee on Foreign Affairs.

5633. Also, petition of John Kain and other citizens of Wheeling, W. Va., urging no change in the neutrality law; to the Committee on Foreign Affairs.

5634. Also, petition of Charles H. Hawkins and other citizens of Wheeling, W. Va., urging no change in the neutrality law; to the Committee on Foreign Affairs.

5635. Also, petition of Herbert Stobb and other citizens of Wheeling, W. Va., urging no change in the neutrality law; to the Committee on Foreign Affairs.

5636. Also, petition of Antone Becker and other citizens of Wheeling, W. Va., urging no change in the neutrality law; to the Committee on Foreign Affairs.

5637. Also, petition of Mrs. A. E. Barnett and other citizens of Follansbee, W. Va., urging that the United States remain neutral; to the Committee on Foreign Affairs.

5638. Also, petition of Joseph Tetrick and other citizens of Wheeling, W. Va., urging that no change be made in the present neutrality law; to the Committee on Foreign Affairs.

5639. Also, petition of Donald Habig and 46 citizens of Wheeling, W. Va., urging that we employ all means at our disposal to keep America out of war and free from foreign entanglements; to the Committee on Foreign Affairs.

5640. By Mr. TENEROWICZ: Memorial of certain voters in Detroit, Mich., urging repeal of the arms embargo; to the Committee on Foreign Affairs.

SENATE

TUESDAY, OCTOBER 3, 1939

(Legislative day of Monday, October 2, 1939)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Eternal and Unchangeable God, who, in the time of shadow and darkness, canst be our only true and lasting light, in whom alone we find rest for our weariness and comfort for our sorrow: Look upon us with Thy mercy, and give unto us the spirit of understanding promised by Thy dear Son as we pause in reverence to pay loving tribute to him who but yesterday was in our midst serving his country and his God with pure heart and unfeigned lips. Receive him, dear Lord, unto Thyself, and grant that he may go from strength to strength in that life of perfect service which it is Thine to give.

Enfold in Thine everlasting arms the loved ones who remain; and may the influence of this true disciple of the Holy and merciful Saviour abide with us in all our deliberations, enabling us the better to find God in our duty and in the range and richness and mastery of our own powers. Through Jesus Christ, our Lord. Amen.

APPEARANCE OF A SENATOR

Mr. MEAD, a Senator from the State of New York, appeared in his seat today.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Monday, October 2, 1939, was dispensed with, and the Journal was approved.

DEATH OF SENATOR LOGAN, OF KENTUCKY

Mr. BARKLEY. Mr. President, we have all been profoundly shocked today by the news of the sudden death of my late colleague, Senator LOGAN. By the death of Senator LOGAN the Senate of the United States is deprived of the services of one

of the most conscientious, sincere, hard-working, and loyal men who ever graced this body with his membership.

I have known Senator LOGAN practically all my life. He was assistant attorney general of Kentucky, he was attorney general of Kentucky, he was chairman of the newly organized tax commission at the time the State legislature created a tax commission. He was a member of our highest court—the court of appeals—and was chief justice of the Court of Appeals of Kentucky at the time he resigned to become a Member of the United States Senate. Whether in public or in private life, whether in his fraternal relationships, which were Nation-wide, or in his association with us here in committees and on the floor, I believe I can say of him as justly as was ever said of any man that he was, in truth, a Christian statesman.

For more than 30 years, notwithstanding his arduous duties as a Member of this great body, Senator LOGAN taught a Bible class wherever he found himself on the Sabbath. Nothing could cause him to depart from his routine of Christian life. I mourn him as a statesman and as a Kentuckian; I deplore his loss as a devoted, lifelong friend.

At a later date I will request the Senate to afford an opportunity for more elaborate expression with respect to his public life and private character. For the time being I offer the resolution which I send to the desk and ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 190) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. M. M. LOGAN, late a Senator from the State of Kentucky.

Resolved, That a committee of nine Senators be appointed by the Vice President to take order for superintending the funeral of the deceased Senator.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The VICE PRESIDENT subsequently, under the second resolving clause, appointed the following Senators to take order for superintending the funeral of the deceased Senator: Mr. BARKLEY, Mr. ASHURST, Mr. McKELLAR, Mr. FRAZIER, Mr. AUSTIN, Mr. BURKE, Mr. MINTON, Mr. TRUMAN, and Mr. MILLER.

Mr. BARKLEY. As a further mark of respect to the memory of my deceased colleague, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 12 o'clock and 5 minutes p. m.) the Senate adjourned until tomorrow, Wednesday, October 4, 1939, at 12 o'clock meridian.

SENATE

WEDNESDAY, OCTOBER 4, 1939

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Almighty God, the Father of our Lord, Jesus Christ, whose infinite humanity and sublime heroism were securely centered in the austere benignity of Thy will: Give to these, Thy servants, composure in this hour of the world's peril, and may each one keep his heart with all diligence, knowing that out of it are the issues of life, for Thy supreme gift is a loving human heart, the spirit of understanding, which can carry us up to the heights, down to the depths, even abroad as wide as morning from evening. Take us, we beseech Thee, at this moment of dedication to the secret place of the Most High, where, like the prophets of old, we may hear Thy voice and, coming forth from thence, may boldly proclaim the great moral and spiritual imperatives, only by laying hold of which our disillusioned world can be brought back to righteousness, justice, and peace. We ask it in the name of Jesus Christ, our Lord and Saviour. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar

day Tuesday, October 3, 1939, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Donahay	Lee	Russell
Andrews	Downey	Lodge	Schwartz
Austin	Ellender	Lucas	Schwellenbach
Bailey	Frazier	Lundeen	Sheppard
Barbour	George	McCarran	Shipstead
Barkley	Gerry	McKellar	Slattery
Bilbo	Gibson	McNary	Smathers
Borah	Gillette	Maloney	Stewart
Bridges	Green	Mead	Taft
Brown	Guffey	Miller	Thomas, Okla.
Bulow	Gurney	Minton	Thomas, Utah
Burke	Hale	Murray	Tobey
Byrd	Hatch	Neely	Townsend
Byrnes	Hayden	Norris	Truman
Capper	Herring	Nye	Tydings
Caraway	Hill	O'Mahoney	Vandenberg
Chavez	Holman	Overton	Van Nuys
Clark, Idaho	Holt	Pepper	Walsh
Clark, Mo.	Johnson, Calif.	Pittman	White
Connally	Johnson, Colo.	Radcliffe	Wiley
Danaher	King	Reed	
Davis	La Follette	Reynolds	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE], the Senator from Virginia [Mr. GLASS], the Senator from Mississippi [Mr. HARRISON], and the Senator from Delaware [Mr. HUGHES] are detained from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from Alabama [Mr. BANKHEAD], the Senator from South Carolina [Mr. SMITH], the Senator from New York [Mr. WAGNER], and the Senator from Montana [Mr. WHEELER] are unavoidably detained.

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present.

INVESTIGATION OF PRODUCTION AND IMPORTATION OF WOOD PULP

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the United States Tariff Commission submitting, pursuant to Senate Resolution 160, agreed to August 1, 1939, a partial report concerning domestic production and the importation of wood pulp or pulpwood, which was referred to the Committee on Finance.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the Legislature of New Jersey, which was referred to the Committee on the Judiciary:

A concurrent resolution memorializing the Congress of the United States to enact appropriate legislation to prevent profiteering in foodstuffs and commodities

Whereas there is a widespread tendency to unjustly increase the cost of foodstuffs and commodities; and

Whereas the profiteering resulting therefrom unjustifiably increases the cost of living and burdens the general public, which profiteering should be effectively curbed and punished: Therefore be it

Resolved by the Senate of the State of New Jersey (the house of assembly concurring):

1. The Congress of the United States be memorialized and requested to enact appropriate legislation designed to prevent profiteering in foodstuffs and commodities to the end that such irregular practices shall be abated; and be it further

Resolved, That a copy of this concurrent resolution, signed by the president of the senate and the speaker of the house of assembly, be transmitted to the presiding officers of the Senate and House of Representatives of the United States and to the Senators and Representatives from this State in the Federal Congress.

2. This concurrent resolution shall take effect immediately.

The VICE PRESIDENT also laid before the Senate a letter in the nature of a petition from Ellsworth P. Kane, Kane Travel Service, San Francisco, Calif., praying that American shipping in the Pacific Ocean be exempted from the operation of pending neutrality and peace legislation, which was ordered to lie on the table.

Mr. LODGE presented numerous memorials of sundry citizens of the State of Massachusetts remonstrating against

any change in the existing neutrality law, which were ordered to lie on the table.

SUGGESTED ARMISTICE IN EUROPEAN WAR

Mr. JOHNSON of Colorado. Mr. President, I submit a resolution and ask to have it read by the clerk, together with a brief statement, and then referred to the proper committee.

The VICE PRESIDENT. Without objection, the resolution and the accompanying statement will be read.

The legislative clerk read the resolution (S. Res. 191), as follows:

Whereas the time is auspicious for the United States to use its best efforts to promote an immediate armistice in the war now being waged in Europe; and

Whereas it is the sincere desire of our President and the American people to see an early termination of such war; and

Whereas other neutrals are looking to us for leadership in a movement to that end; and

Whereas there is more glory and courageousness in an honorable peace than a bloody victory with its attendant ills and sorrows: Now, therefore, be it

Resolved, That it is the sense of the Senate that every effort should be made by the United States in conjunction with other neutral nations to bring about an early termination of the European conflict, and to that end the President is requested to join with other neutrals in urging the nations that are now at war to enter into an immediate armistice as a preliminary step toward negotiations looking to the complete, lasting, and peaceful settlement of the various matters about which they are in conflict.

The legislative clerk read the statement presented by Mr. JOHNSON of Colorado, as follows:

Americans are proud and grateful for the persistent effort made by the President of the United States to prevent the European war. These courageous efforts should continue even though the war is now an actuality.

Every possible pressure for peace should be brought to bear upon the belligerents by neutral states and the warring nations should be urged to declare an armistice immediately so that the terms of an honorable peace might be worked out around the conference table. If this war continues millions of women and children will be starved by the blockades, millions of men slaughtered at the front, and billions of taxpayers' dollars will be squandered. While such a fire rages no one's peace will be safe.

Neutral states all over the world are looking to our great President to lead another effort for peace.

The best insurance for keeping America out of the European war will be to stop that war now.

The VICE PRESIDENT. The resolution will be referred to the Committee on Foreign Relations.

ADDRESS BY SENATOR NORRIS ON AMERICAN NEUTRALITY

[Mr. BYRNES asked and obtained leave to have printed in the RECORD a radio address on American neutrality delivered by Senator NORRIS on October 3, 1939, which appears in the Appendix.]

ADDRESS BY SENATOR REED ON PENDING NEUTRALITY LEGISLATION

[Mr. REED asked and obtained leave to have printed in the RECORD a radio address delivered by him Sunday, October 1, 1939, on the pending neutrality legislation, which appears in the Appendix.]

ADDRESS BY ROSS F. LOCKRIDGE ON THE BOYHOOD OF LINCOLN

[Mr. MINTON asked and obtained leave to have printed in the RECORD an address on the boyhood of Abraham Lincoln delivered by Mr. Ross F. Lockridge, under the auspices of the Booneville Press Club, in Spencer County, Ind., which appears in the Appendix.]

ADDRESS BY BISHOP SHEIL ON AMERICA'S CATHOLIC YOUTH AND EUROPE'S WAR

[Mr. LUCAS asked and obtained leave to have printed in the RECORD an address delivered on October 2, 1939, by the Most Reverend Bernard D. Sheil, D. D., auxiliary bishop of Chicago, on the subject of America's Catholic youth and Europe's war, which appears in the Appendix.]

ADDRESS BY DR. ERNEST H. WILKINS, PRESIDENT OF OBERLIN COLLEGE, ON DEMOCRACY AT BAY

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD an address entitled "Democracy at Bay" delivered by Dr. Ernest H. Wilkins, president of Oberlin College, on September 20, 1939, which appears in the Appendix.]

EDITORIAL FROM WILMINGTON (DEL.) JOURNAL ON KEEPING AMERICA OUT OF THE WAR

[Mr. TOWNSEND asked and obtained leave to have printed in the RECORD an editorial from the Wilmington (Del.) Journal—Every Evening of Wednesday, September 20, 1939, entitled "America Can Keep Out," which appears in the Appendix.]

NEUTRALITY AND PEACE OF THE UNITED STATES

The VICE PRESIDENT. Morning business is closed. The calendar, under rule VIII, is in order.

Mr. BARKLEY. I ask unanimous consent that further proceedings under the morning hour be dispensed with and that the unfinished business be taken up for consideration.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kentucky? The Chair hears none, and it is so ordered.

The Senate resumed the consideration of the joint resolution (H. J. Res. 306) the Neutrality Act of 1939.

The VICE PRESIDENT. Let the Chair suggest to the guests of the Senate in the galleries that any kind of conversation in the galleries is very disturbing on the floor of the Senate. Under the rules of the Senate, no demonstrations of approval or disapproval by our guests of what happens in the Senate are permitted. The Chair hopes the occupants of the galleries will respect the rules of the Senate.

Mr. CONNALLY. Mr. President, the President of the United States called the Congress into extraordinary session; and we here in the Senate, together with the entire American people, are now facing a very grave and heavy responsibility. We are gathered to consider the welfare and the interests of no nation or country on earth save the welfare and the interests of the United States and its people. We are gathered to perform, if we can, the duty of charting the course of the United States during a period in which great armies are charging across the battlefields of Europe, plunging those peoples into blood and tragedy; at a time when peaceful processes have been overthrown by the sword, when fair lands are being devastated, and people who perhaps would prefer peace are being engulfed in all the ruin and the tragedy and the miseries of war. So it is our duty, if we can, so to conduct the affairs of the United States that we may not be drawn into all of that terror, desolation, and waste. My purpose is to keep America out of war. America must not be dragged into war.

Those of us who propose the joint resolution assume for ourselves no less than we accord to those who are opposed to it. I assume that every Senator is approaching this problem with an unselfishness worthy of a Senator, with a patriotism worthy of an American, and with an earnest and controlling desire so to speak and so to vote as to bring about the abstention of the United States and its people from all the harrowing effects, the waste, the terror, and the frightfulness of this war. We accord to our opponents that attitude of mind, and we demand for ourselves no less.

It has been intimated over the radio and through the press that some of those who are advocating this joint resolution are actuated by some desire to take this step and then to take another step and then to take another step which would bring us closer and closer and closer to the brink of war, and then plunge us over the Niagara of terror. Speaking for those who favor the joint resolution, I deny and denounce any such assumption or belief. We are trying to keep out of war—not get closer to it. We must face the realities of this situation. The situation is not of our making. We set in motion none of the forces that plunged Europe into war. We were not present when conquerors and dictators plotted and planned aggression and bloody conquest. We had no agency behind the scenes when the general staffs, both political and military, were forming their plans and meditating where destruction and death should begin. We had no part in bringing about the war, and it is not of our making. We want to remain aloof from it. But however we may wish and however we may feel, we face stern, yea, flaming realities; and so far as we can do so, so far as our own attitudes of mind enable us to do so, we must approach this

problem with the view that we want to stay out of war, but at the same time we must be practical men; we must not close our eyes or shut our ears to actualities, to grim realities. We must be statesmen.

Mr. President, already the debate has been notable. We heard the Senator from Nevada [Mr. PITTMAN], for whom I have great admiration and respect and affection, expound in detail the provisions of the pending joint resolution, and the defects of the present Embargo Act from which we are trying to escape. He spoke, I think, in a most convincing and a most logical way.

We then heard the distinguished Senator from Idaho [Mr. BORAH]. Let me say that the Senator from Texas not only has high respect for the Senator from Idaho but he has more than respect; he has a deep and an abiding admiration not alone for the ability of the Senator from Idaho, not alone for his oratory, not alone for his statesmanship but for the lofty qualities that have distinguished him not only in America but throughout the world.

Mr. President, the Senator from Texas entertains even more than admiration for the Senator from Idaho. He entertains for him a deep and indescribable personal affection. I regret that in the course of this debate I shall perforce have to take issue with some of the things the Senator from Idaho advocates and for which he speaks. I want him to know, and I want every other Senator to know, and I want every constituent of mine to know, that when I do so I do so with every desire to be respectful and considerate, with no purpose on earth to question in anywise either the sincerity, the patriotism, or the character of the Senator from Idaho.

But, Mr. President, we face realities. The plan proposed in the joint resolution reported by the Committee on Foreign Relations, of which the Senator from Nevada [Mr. PITTMAN] is chairman, is a concrete plan, as we believe, comprehensive in its nature, designed to keep us out of war. The Senator from Idaho [Mr. BORAH] delivered a moving, a stirring address, an oration denouncing the horrors of war, a view which we all share; denouncing European conflicts over territories and over boundaries, a view with which we all agree; denouncing power politics to which we all agree and with which we would have nothing whatever to do. But, Mr. President, oratory is not going to win this war. The Siegfried line, if it is broken, will not be broken by oratory. The Maginot line, if it is broken, will not be broken by oratory. American ships, when they go to sea with commerce destined for the nations at war, will be sunk perhaps by submarines, regardless of the oratory of those upon those ships or of those of us here at home. So we shall have to deal with these things concretely and directly; and I say that with no lack of respect to the Senator from Idaho.

Mr. President, approaching this issue with the view that we are all sincere and earnest and honest and patriotic in our endeavors to keep out of the European war, what are we going to do about it? Words will not do it. Speeches will not do it. If it is done, it must be by what we shall do by our acts, insofar as legislation can avail. Legislation alone may not do it; but it is our duty, insofar as legislation can accomplish the desired result, to approach the problem with the purpose and the view of doing all that legislation can do.

What is the answer? Those of us on the Committee on Foreign Relations have been undertaking to translate our views into a joint resolution which is not alone that of the President. This joint resolution perhaps is not exactly in every detail what the President of the United States would desire. It represents not alone the views of the committee, but we have undertaken to represent the views of the American people. They did not write the language, but we know what is in their hearts, and we have undertaken to put in the joint resolution that which we believe is in the hearts of the American people: First, that they want no involvement in this European war; second, that they want no act of ours, by law or by legislation, to be unneutral or unfair to the nations now at war.

So, Mr. President, we approach this problem with a joint resolution which has two objectives. The first is the repeal

of the present Arms Embargo Act. The second is a comprehensive program outlining what we think we can do in the way of domestic regulations, not international law. We here in this Chamber cannot make international law. We cannot pass laws for the rest of the world. All we can do is to pass domestic legislation which has no relation whatever to international law, save insofar as it may affect our own individual attitude toward international law. So we are met now to propose domestic legislation.

The first thing the joint resolution proposes is a repeal of the arms embargo. What is the arms embargo? The public understands it only in part. There has grown up over the country an idea that the arms embargo means peace, that the arms embargo means no war, that the arms embargo means that we will not go into Europe's war. Over a period of years that theory and that idea have been sedulously and continuously hammered and beaten into the ears of the guileless and those who are susceptible of easy impression by those who were the authors of the act, and who have been agitating over the country in that behalf for years. That claim is not true. I challenge it now. The present Embargo Act of itself does not mean peace, the present Embargo Act of itself does not mean that we will stay out of war. I propose to demonstrate, before I conclude my remarks, that under the present Embargo Act America is a thousand times more apt to be dragged into the present war, as we were dragged into the World War, than it would be under the terms of the pending joint resolution.

What does the Arms Embargo Act provide? The Arms Embargo Act, first passed in 1935, and reenacted in 1937, provides that—

Whenever the President shall find that there exists a state of war between, or among, two or more foreign states, the President shall proclaim such fact—

That is all, just the fact that there is a war—

and it shall thereafter be unlawful to export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from any place in the United States to any belligerent state named in such proclamation, or to any neutral state for transshipment to or for the use of any such belligerent state.

And so on. Then it imposes heavy penalties.

Mr. President, the embargo was enacted at a time when we entertained the hope, which has proved to be vain, that we might by that act influence militaristic powers not to engage in war. We now see how empty that hope was. What voice in Europe listened to the admonition of the United States? Not a single conqueror, not a single military master, paused in his plans or paused in his contemplated campaigns to listen to our pleadings.

The act was passed at a time when public sentiment had been worked up and whipped up to the theory that the enactment of the embargo law meant no war for us. It was whipped up on the theory that it represented real neutrality. That I propose to deny; that I propose to challenge here today. The present Embargo Act is not only not neutral, but in its operation it is distinctly unneutral, perhaps not technically unneutral under international law, because of course the Senator from Idaho is correct when he says that we may pass any domestic regulation without any other government saying that we may or may not do so.

The pending joint resolution is purely a domestic regulation of our own citizens, of our own ships, and of ourselves. We had a right to pass the embargo law, and if we had a right to pass it, we have the same right to repeal it. There is no law of the Medes and Persians in our code. In any free government our laws are written not in bronze—what Congress can write Congress can erase. The Congress of the United States may repeal any law it has a right to pass. So today we have a right to pass the new act without any government on earth questioning our authority or our right.

Mr. MINTON. Mr. President—

The PRESIDING OFFICER (Mr. BARKLEY in the chair). Does the Senator from Texas yield to the Senator from Indiana?

Mr. CONNALLY. In just a moment. When we enact a statute we make no compact with a foreign power. When we want to do that we make a treaty.

I now yield to the Senator from Indiana.

Mr. MINTON. I ask the Senator whether, if the present law were not on the statute books, it would be unneutral for us to pass the law now.

Mr. CONNALLY. I do not suppose there is a Senator on this floor who, if there were no embargo act on the books, would advocate our now passing a law like the present embargo act. It would be unneutral, of course, and if it would be unneutral for us to pass it now, it was unneutral when we passed it, as applied to a situation like the present state of affairs in the world. That is what I intend to try to demonstrate, that it was unneutral when we passed it. No nations were then at war, but when a statute is enacted, and there come within the compass of that statute certain facts and conditions, and it comes to be applied, that is the time when the test comes as to whether it is in fact neutral or unneutral.

Mr. President, let us examine the philosophy of the Arms Embargo Act. The theory of the Arms Embargo Act is that in time of peace it is perfectly legitimate to sell arms to any nation, but we must not sell them in time of war. I ask Senators this question: Why is it right in time of peace to sell nations guns, to sell them arms and ammunition, and wrong to sell them in wartime? When we sell them in peacetimes do we not know that the bullet to be shot out of the gun is intended to kill someone? When we sell a cannon in time of peace does not every sane mind know that it was built and fabricated and made in order to bombard some city, to hammer down the walls of some fort, or destroy human life somewhere? Whenever we sell a sword do we not know it is intended to be wielded in the cause of war? Do we not know its ultimate destiny is the quivering body of some poor victim, to draw the blood of an adversary? When we sell a bayonet do we not know its objective? Why is it made sharp? It is because it is intended to be plunged into some human body.

The Embargo Act says, "We will sell you arms in time of peace, but you cannot get any in time of war. We will sell them to you in time of peace for offense. We will sell them to you in time of peace so that you can get ready for war. We will sell them to you in time of peace when your neighbors are asleep. We will sell them to you in time of peace when your adversary is unsuspecting, is unwary. We will let you arm to the teeth, aggressors. Come on, conquerors, come to our shores and buy your guns and ammunition. Arm yourselves to the teeth. Get our airplanes, get our cannon, get our bayonets, get our rifles, get our nitroglycerine, and all the devilish machinery of war, and then start your war, and we give you assurance that when you do your victim shall not get from us a weapon, your victim shall not get a gun, your victim shall not get such things from this great neutral power, which believes in peace, and wants no war, and which sympathizes with his condition as a peaceful, unoffending nation. We cannot do anything for your victim. He must suffer. He cannot secure any arms here." The aggressor fixes his own time to strike his victim. That time determines when his victim can no longer get arms. Unsuspecting an attack, the victim does not prepare. Assailed without notice he then cannot prepare. The aggressor, by his attack, shuts off our markets. That is the doctrine of the Embargo Act.

Mr. President, the Embargo Act applied to our citizens would mean that the highwayman who is meditating holding up the Senator from Maryland [Mr. TYDINGS] on his way home tonight can get all the arms, all the blackjacks he may desire. "Come and get them." But if Senator TYDINGS, when assailed upon the highway, asked his chauffeur to borrow a weapon for him in order that he might defend himself, the law says, "No; you cannot do it. This aggressor has a vested right to purchase arms in time of peace, and then he has a vested right to say to the United States, 'You cannot sell anybody else in time of war arms with which to protect himself from aggression.'"

Mr. President, that is the doctrine of the Embargo Act. We did not realize that when it was passed. We thought we would look out over the ramparts of Europe, over the bristling battlements, and wave at them this little resolution and say, "Please do not fight. We are against it." But they paid no

attention, paid no heed, and they plunged the world into war. Now it is proposed that we keep on waving it at them, but say to their victims that they cannot get a sword, that they cannot get a cannon, that they cannot get a weapon of any kind.

Mr. President, this doctrine of the embargo, if applied in private life, would say to the safecracker who wants to rob a bank, "Come over. We shall be glad to sell you some nitroglycerine. We have some good 'jimmies,' we have some good pistols, we have some good implements for burglars. Come on. Here they are." But when he goes down to the bank and to the vault to ply his trade, if the watchman is there or the owner is there, or someone is called in to defend the property, under such a law as the Embargo Act, they could not borrow a weapon from the elevator boy, they could not borrow a pistol from a bystander in order to prevent the commission of a crime, or defend the property it was their duty to defend. That is the doctrine.

Mr. DOWNEY. Mr. President, will the Senator from Texas yield?

Mr. CONNALLY. I yield.

Mr. DOWNEY. Is the Senator making the argument that the American people should not sell finished implements of war even during peacetime?

Mr. CONNALLY. The Senator was not making that argument, but he was making the argument that it is just as logical to sell them in time of war as in time of peace, and even more logical.

Mr. DOWNEY. Then, if I may ask the Senator one additional question, would the Senator be willing to answer me categorically, for use in further argument later on—

Mr. CONNALLY. I do not propose to let the Senator catechize me now merely to store up something with which to attack me later.

Mr. DOWNEY. Very well; I will agree to forget it, and just take the answer.

Mr. CONNALLY. The Senator is invoking now the doctrine of the aggressor under the embargo. He wants to buy arms from me in time of peace with which to assassinate me in time of war. [Laughter.]

Mr. DOWNEY. If the Senator from Texas will yield for another question, I agree not to comment upon his answer later on. That question is this—

Mr. CONNALLY. Mr. President, let me say to the Senator from California that I am going to confine my debate to the joint resolution and to the subject of the embargo, and I really have no time to discuss anything else, so I hope the Senator will not drag in something which is not before the Senate.

Mr. DOWNEY. I think the question is a very pertinent one. Will the Senator yield?

Mr. CONNALLY. I will yield, and then examine its pertinence.

Mr. DOWNEY. Would the Senator be willing to vote for the repeal of the present Embargo Act if Germany rather than Great Britain and France was to be the beneficiary of that repeal?

Mr. CONNALLY. Oh, well, Mr. President, that question carries an implied insult. I do not mean that personally, but it approaches an insult. By that question the Senator from California intimates that the Senator from Texas is actuated by his desire to aid Great Britain and France, while the Senator claims, of course, that he is on a lofty pedestal among the clouds, and is influenced only by highly sublimated and noble and patriotic motives. At the beginning of the debate I requested to be permitted to confine myself to the arms embargo. The Senator asked me that question. I shall not reply in kind.

Let me now say to the Senator from California that we are not here as representatives to vote our personal likes and dislikes. We have to represent the people of the United States. The measure when it shall be passed will speak for itself, and the Senator's vote will speak for itself. If he does not speak loudly enough his vote will speak loudly for him.

Mr. President, I know what the implications of the question are. Perhaps a little later I may decide to say something about it. I anticipated there would be those who would throw dead cats into the discussion by which to divert us. I will discuss that matter later. I will discuss the World War if the Senator wants me to discuss it.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. DOWNEY. If the Senator would prefer to have me withdraw the question I will very happily do so.

Mr. CONNALLY. No; that is all right. Let it stand. Leave it alone. [Laughter in the galleries.]

The PRESIDING OFFICER (Mr. BARKLEY in the chair). Will the Senator yield to the Chair for just a moment?

Mr. CONNALLY. I wish to answer the question first. I have a very kindly feeling toward the Senator from California, and it is not at all a personal matter when I make the kind of reply I did make. However, I do not think that reply really does credit to the questioner, to the Senator on the floor, because the question involves an implication that his motives are not pure, and it involves also the further idea that the Senator from California is in a position to judge not alone as to the rectitude of his own course, but as to the rectitude of other Senators. While I have eminent respect for the abilities of the Senator along certain lines, and in his own chosen economic field, I think he had better stick to that rather than to assume the prerogative of a spiritual or a moral censor. [Laughter.]

The PRESIDING OFFICER. The Chair reiterates and emphasizes what the Vice President said earlier in the day. The Senate is glad to have as its guests those who are privileged to sit in the galleries. The rules of the Senate prohibit any demonstrations on the part of our guests of approval or disapproval with regard to the remarks of Senators. The Chair realizes the difficulty at times of observing that rule meticulously during the cross-fire of running debate, but it is a rule of the Senate, and the Chair hopes the occupants of the galleries will seek to preserve order by observing that rule as fully as it is possible.

Mr. CONNALLY. Mr. President, if I may repeat for just a moment, the philosophy of the Embargo Act is that it encourages aggressor nations or aggressor rulers or aggressive conquerors to arm and prepare. On the other hand, it penalizes the peaceful and unprepared people, because, unless they have tremendous munitions plants and supplies, they cannot win a war which is suddenly thrust upon them, a war not of their own making, not of their own desire, a war that is suddenly thrust upon them. Conquerors and aggressors do not go around and notify their intended victims. Such persons, for example, would not say to the Senator from Maryland [Mr. TYDINGS], "We shall come to your residence tomorrow night at 11:30 to burglarize your strongbox." They do not do that. They strike when they are prepared, when they are ready, and when their victim is unprepared. The present law would penalize the weak, the innocent, by denying to them arms in time of their need.

Mr. President, why is it right to sell arms in time of peace for offense, and then refuse to sell them in time of war for defense? If it is wrong to sell arms in time of war for defense, how much worse it is to sell arms in time of peace for offense and for preparation and for the making of these mighty and ambitious schemes to strike with lightning speed and strike with the force of the storm, to subjugate people, while the world has not been able to catch its breath.

Mr. President, that is the doctrine of the Embargo Act. It is now said that under international law to repeal it would be unneutral. I deny that. The lawbooks deny it. The Senator from Idaho denied it when he said a few days ago in a radio speech and when he said here on the floor that international law had nothing on earth to do with our passing the Embargo Act. And it did not. It is purely a domestic regulation. My contention is that if that be true, we have just as much right to repeal it as we had to enact it.

This is what the Senator from Idaho said on the radio a few nights ago, and I say this not in criticism, because I agree with the Senator from Idaho, who is usually sound on constitutional and legal questions:

Undoubtedly, as I say—

This is the Senator from Idaho speaking—
we had a right to pass the law—

He was speaking of the embargo law—
and undoubtedly we have a right to repeal the law.

In his address last Monday before the Senate he reiterated in effect that same idea. The Senator from Idaho, speaking of the Embargo Act—this ark of the covenant, which you must not touch, which is a sacred edict of the Congress which, once passed, can never be repealed, can never be touched—with respect to it the Senator from Idaho said:

It was in a sense purely a domestic question as to whether we should adopt such a policy. International law had nothing whatever to do with it.

Well, now, if it had nothing on earth to do with it when we passed it, how does international law have anything to do with it now? It is a domestic problem. When did international law come in and say that we are not concerned with this?

I continue reading from Senator BORAH's address:

If a nation does not wish to manufacture arms and ammunition, there is no obligation upon the other nations under the law of nations to do so.

Of course not.

The United States was perfectly free as to the obligations of international law to say that it would never again furnish arms and munitions to warring nations.

And if it was free, then freedom meant that it could do it or not as it saw fit. You are not free when you can go in only one direction. The Senator from Idaho said we were free to say that they should not have arms, and if we were free to say that, we would then have the right to say that they should have arms. There is no freedom unless there is discretion, or choice, or alternative.

Mr. President, it is said that under international law we should not take such action as is proposed. Let me say to Senators that since there was any international law, so far as I know, at least for 150 years, during the time when the United States has adhered to international law, the right of neutrals to sell arms and munitions to belligerents in time of war has never been seriously questioned. It was not questioned in the World War. The United States has maintained that doctrine and that theory during all of its history. The nations of the earth today, neutral nations in Europe, are selling arms and munitions to the belligerents whenever they can get them to them. That is not a violation of international law.

Oh, but it is said that some of the foreign nations might think that we were committing an unneutral act. Mr. President, I will say, in the language of the Senator from Idaho, that we are not responsible for what the European nations think. That is their business. We are responsible for what we say and what we do, and what we are doing today under the present embargo law, while it may not technically violate international law, is actually and really not neutral. It is unneutral.

On Monday the Senator from Idaho said in a colloquy with the Senator from Nevada [Mr. PITTMAN]:

Mr. BORAH. Mr. President, that brings up the subject—because the act is not operating neutrally in Europe today. What business is it of ours whether or not it is operating neutrally?

Mr. President, the business of it is that it is our work. We did it; and if it is not operating neutrally in Europe it is our fault. If it is our fault, we ought to correct that fault. We ought to wipe it out and get back to international law and the right of equality between nations.

The Senator from Idaho asks what business it is of ours if the embargo law is not operating neutrally in Europe. That is where we intended it should operate. That is where we hoped it would operate neutrally and impartially. If it

does not, we ought to repeal it, wipe it from the statute books, and go back to a policy that will be neutral, that will not be partial, and will not favor the warring nations on one side as against those on the other.

Mr. President, I propose to show that we are not violating international law. The joint resolution does not amend international law. It is simply a domestic regulation of our citizens. It has no relation to international law. We could, of course, pass a law embargoing everything, as was done in Mr. Jefferson's time, and have no intercourse with foreign nations. No one could complain except our citizens, to whom such a course would bring ruin and chaos, business dislocation, and misery worse than in the last days of the previous administration of the United States; that is all. We could starve our farmers and close our factories and ruin our business, but that we cannot do.

But, Mr. President, we speak of international law. It is feared that somebody is going to impinge upon international law. Under international law from historic times every neutral nation has had a right to sell arms and ammunition to warring nations if it could deliver them.

Of course, arms and ammunition are absolute contraband; and if an enemy seizes them, he may sink them or destroy them. That is all right. Every shipper takes that risk. But, Mr. President, that is the same kind of international law for which the United States contended during the World War, for which we spilled the blood of our sons, for which we poured out billions of our treasure, and for which our wives and widows filled the ocean with their tears.

Senators are afraid we are going to violate international law. Mr. President, while claiming every right we have under international law, we are undertaking in this measure so to restrict, so to limit, and so to regulate American citizens and American ships that they will not be sunk on the high seas, and so that we shall never have the necessity of invoking international law on behalf of those whose lives might be destroyed, or the owners of the ships or of the cargoes. We are hoping by this measure to prevent the necessity of ever going into another war. We want to save the Senator from Idaho from having to make the choice which he stated he was ready to make if American ships, American property, or American lives are destroyed.

Mr. President, under the present embargo law American ships leaving our shores may not carry arms; but such ships laden with anything else destined for a belligerent nation are subject to being sunk by submarines. In that event the Senator from Idaho, the Senator from Texas, as well as those Senators who are advocating the embargo, would have to make the choice whether or not we should fight. We do not want to be confronted with that alternative.

Mr. President, during the World War citizens of the United States were murdered on the high seas, where they had a right to be, in the peaceful pursuit of their vocations. Ships were sunk where they had a right to be under international law and under the sanction of nations. So, while we claim for ourselves every right under international law, we are voluntarily commanding our citizens not to bring about states of fact which would force us to choose whether or not to fight. We are not amending international law. We are keeping our citizens from bringing themselves within the law by keeping them out of danger zones, by keeping them off belligerent vessels, and by not allowing a single American ship to go to a single belligerent power with a thing on earth in it.

A law may be passed, and still be a law; but unless a citizen brings himself within the terms of the law by committing acts or bringing about a certain state of facts, the law is not infringed or impaired. It is still there. We are simply keeping out of danger zones. We are preventing the facts from being such that we would have to invoke international law.

Mr. President, I make the statement that the repeal of the Arms Embargo Act is absolutely necessary if the United States wants to be neutral in fact, neutral in law, and neutral in spirit under international law. Why do I say that? I say it because under international law, from the time of Grotius, warring nations have been permitted to buy and neutral nations have been permitted to sell munitions, arms,

and every character of commodity which the warring nations could purchase. The only limitations upon those rights—and they were not limitations upon the rights, but simply applications of another right—were the right of the warring nations to declare contraband, and to intercept the shipment and examine it, and then appropriate the contraband, paying for it in some cases, and in others not paying for it; also the right of blockade, which gives the nation which is able to maintain a blockade the right to blockade certain ports. Those are the only qualifications. Every other neutral nation about which I know anything is living under international law, and if able to do so is selling arms, ammunition, and general supplies to both the warring factions. Why should the United States alone adopt a policy that we will not sell arms or ammunition to anybody, when we were willing to sell them before the war to those who were preparing an army and getting ready for the war?

Mr. President, to keep the embargo is to curtail and impair the rights of certain of the belligerents to freedom of access to our markets, which they have always possessed until the embargo was passed, and to deny them that which they theretofore had a right to expect and which they said to themselves they could expect in the future.

It has been said in this debate that when we passed the Embargo Act we gave notice to the rest of the nations of the world that that was our policy. However, Mr. President, that act was no covenant with the rest of the world. Our domestic regulations constitute no bond or contract with foreign nations. They are not even a contract with our own citizens. We repeal laws every day; and perhaps we should repeal many more.

Mr. President, we are not responsible for this war. Before the war broke we gave notice at the previous session of Congress, we gave notice through all the months, we gave notice before Poland was trampled in the dust, that the embargo was to be repealed. So those on the other side of the question cannot claim that we gave any commitment to which we are bound to adhere.

If the United States is to assume an attitude of absolute impartiality and neutrality, it must treat all belligerents alike. It is said that the operation of the joint resolution would be to favor certain nations. Notice how that claim is put. It is said that the passage of the joint resolution would favor the Allies. If that be true, by the same token keeping the embargo is helping Hitler, Stalin, and all the rest of those associated with him in spreading fire and the sword throughout Europe. Removing the embargo legally, technically, and actually places the United States more nearly on a plane of absolute spiritual and intellectual neutrality and equality than any other measure that could be devised.

Mr. President, it is said it is unneutral. I wish Senators to look at the map. There [indicating] is Holland adjacent to Germany. She is selling arms and ammunition, if she has any, to Germany; at least she is selling general supplies to Germany. If it is not unneutral for Holland to do that, if she as a neutral has a right to sell them, why is it unneutral for the United States to sell them?

There [indicating] is Belgium. If it is not unneutral for Belgium to carry on commerce with Germany, why is it unneutral for the United States to take the action now proposed?

There [indicating] is Denmark. If it is not unneutral for Denmark to sell to belligerents, why does it become unneutral when we do it?

There [indicating] is Poland that was—the tomb of Poland—and, of course, articles of commerce and supplies and arms and equipment are going from Poland to Germany. We do not seek to interfere with it. But if it is right for Germany to get arms and munitions from Poland, why is it wrong for the United States to sell arms and ammunition?

There [indicating] is the great Empire of Russia which technically is still a neutral. We know that the great reservoirs and resources of Russia will pour, if they have not already poured, into Germany arms, ammunition, and all the enginery and all the devilry of war, and also food supplies. Can we help it? We do not seek to help it. If it is not wrong for the Russian Government to sell to Hitler, why

does it become wrong for the United States to sell to other belligerents?

There is Rumania; there is Hungary; there is what was once Czecho-Slovakia. There are the tears and the blood and the heartbreaks of a land that once, as the Senator from Idaho said, was the only real republic in that part of the world. They are now furnishing Germany supplies and arms and ammunition. If it is not wrong for Czecho-Slovakia—or what is left of her—to do that, why is it wrong for the United States to furnish arms and ammunition to those who are in sympathy with poor old Czecho-Slovakia, namely, England and France. The Senator from Idaho [Mr. BORAH] paid a tender and touching tribute to what was once Czecho-Slovakia, but under the arms embargo today we are, in effect, aiding and assisting the author of Czecho-Slovakia's obliteration and conquest.

Mr. President, if it is not unneutral for Rumania to sell to Germany, why does it become unneutral for us to sell to belligerents? If it is not unneutral for Hungary, why is it unneutral for us?

It is said that it would result to the advantage of the western powers, the democracies, England and France, because they dominate the sea. Mr. President, that is not our responsibility. In every war some nations have one advantage and others another advantage. We are not responsible for the geography of the earth. We made not the mountains; we made not the oceans; we made not the boundaries of Europe; but the nation that has one superiority has a right to enjoy it without our interference, just as another nation that enjoys another advantage has a right to enjoy it.

The distinguished Senator from Idaho on Monday quoted a letter from Secretary of State Lansing during the World War. Instead of sustaining the position of the Senator from Idaho that letter sustains our position. It was a letter from the Secretary of State to the American Ambassador in Austria-Hungary. Austria-Hungary were beseeching the United States to relax, to forbid the sale of certain things to England and to permit certain things to go to Germany and Austria. Why? Because they said, "England enjoys an advantage on the sea that we do not enjoy." Mr. Lansing repudiated that doctrine, that approach. He said to do that would put a neutral in the position of saying, "Well, this nation has this advantage and we will undertake to counterbalance it by something else," and instead of being neutral, it would involve us in every war in Europe and every war elsewhere. When we should seek to offset the advantages we would aid one or the other. Each nation is entitled to whatever natural advantages it may possess.

Mr. MINTON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Indiana?

Mr. CONNALLY. I yield.

Mr. MINTON. Is not the effect of the embargo such that it presents Hitler with a navy that is capable of keeping France and England from our shores?

Mr. CONNALLY. That would be a graphic and striking way to put the matter.

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. CONNALLY. I shall yield in a moment, but let me first answer the Senator from Indiana. In other words, the theory of the Senator from Indiana is, since England has a navy, all that any other navy could do would be to sweep the British Navy from the sea; and, so far as we are concerned, the Embargo Act, at least, as affecting arms and ammunition, sweeps our shipping off the seas to the advantage of the belligerent which cannot command the sea.

I now yield to the Senator from Minnesota.

Mr. LUNDEEN. Do I understand that this administration has presented Hitler with a navy? The neutrality law now on our statute books was proposed by this administration. It is their brain child. This is their measure; this is their "baby," and do I understand that it is now contended that this administration law now on our books presents Chancellor Hitler with a navy?

Mr. CONNALLY. Oh, no. The Senator, in his anxiety to question somebody, makes a suggestion in which he does not believe; he does not mean what he intimates.

Mr. LUNDEEN. The Senator knows that the able Senator from Indiana so stated just a moment ago; the record will show it.

Mr. CONNALLY. I hope the Senator will not put that in the RECORD. He has heretofore enjoyed a reputation for intelligence and character. [Laughter.] I hope he will not put that kind of a question into my speech. He says that we are here proposing a measure in behalf of Hitler. He knows that is simply ridiculous. I hope the Senator—

Mr. LUNDEEN. I hope the Senator will adhere to my own language. I did not use the words the Senator used just now.

Mr. CONNALLY. What was the Senator's language? I want to be fair.

Mr. LUNDEEN. I said, Does the Senator mean to say or is the inference to be drawn that the administration's law presented Hitler with a navy? It was so stated on the floor by the Senator from Indiana and it was concurred in by the brilliant Senator from Texas. The administration is the author of this law, our present neutrality law, and it is on the books as the act of the administration.

Mr. CONNALLY. The Senator makes it worse the further he goes. The Senator from Indiana said the Embargo Act, not the pending resolution, gives Hitler a navy. He had better let the first statement stand.

Mr. LUNDEEN. I think it makes it worse for the Senator from Texas, I will say. We were talking about the administration's embargo law placed on our statute books by this same administration—and now you seek to repeal that embargo.

Mr. CONNALLY. The Senator from Texas is sorry that he has been dehorned by the Senator from Minnesota. I will repeat what the Senator from Texas was undertaking to say. I know the Senator from Minnesota understood me. He knows the attitude of the Senator from Texas. He knows that the Senator from Texas is not representing Mr. Hitler; he knows that he is not representing Mr. Chamberlain—

Mr. LUNDEEN. I did not say what the Senator now maintains I said.

Mr. CONNALLY. He knows I am not representing Mr. Daladier. I am trying to preserve neutrality. What the Senator from Texas said was that nations had a right to enjoy, undisturbed by neutrals, whatever natural advantages they possess, and our interference with an advantage which a nation possesses, either on land or on sea, is a violation of neutrality. Why? Because we are hurting such a nation to that extent; we are limiting its activities. Any nation that aids the enemy or hurts the other side is unneutral, is it not?

Two men are in a fight; another runs up and pulls one of them off. He is aiding the man that is down, but hurting the other man. A third man runs up to two men who are fighting and beats one of them over the head with a club. He says to one of them, "You are stronger than the other man; therefore I am going to hit you with a club." But is he neutral? He may be doing right, but he is not neutral. Senators opposing repeal of the embargo want to even up the advantages of nations by law; but we have no more right to even up the advantages of nations than we have to even up the advantages of individuals unless we want to be unneutral. That is what we are trying not to be.

The question of the Senator from Minnesota was intended to be frivolous, and it was frivolous, but let me say to him in all seriousness that he knows, while this joint resolution is sponsored by the Foreign Relations Committee primarily, it is approved by the President of the United States. President Roosevelt approves this resolution because he has said the embargo is not neutral. I said that to refuse to sell to England and France was to a certain extent to nullify the force and effect of their fleet and their shipping. Then the Senator from Indiana [Mr. MINTON] wanted to

know if that did not amount to giving Hitler a navy. That was a beautiful figure of speech, and I thought that all Senators could understand the difference between a figure of speech and an absolute, cold, hard statement of fact. Of course Hitler will have no ships upon the seas and he does not need them if we keep the embargo, because no arms and ammunitions can go to England and France.

Mr. President, I desire to illustrate what I have to say about the geographical advantages and the land advantages of Europe. It is said by those who oppose repeal of the embargo, "You must not do this." Why? Because it is stated that if we do we are going to help England and France. They have a navy and Hitler has not a navy. Therefore England and France alone can come and get the arms and ammunitions, and Hitler cannot get any. Very well. Let us see about that. By the same token, if that is the attitude of those opposing the pending measure, they ought to go over and tell Mr. Hitler that he cannot buy anything from all those land powers which surround Germany.

Let us look at the map. Here [indicating] is Germany, now constituting an empire of 80,000,000 people, an industrial nation, already armed and equipped, already with ammunition plants and factories, turning out cannon and bayonets and rifles and airplanes and all the other instruments that accompany the panoply and pomp of war.

In addition, it is a rich agricultural country. In addition, Germany has at least in part freedom of access to the markets of Belgium and other neutrals, which are selling to her, of course. She has access to the markets of Holland. She has access to the markets of Denmark. She has access to the devastated and desolated and scorched and seared land of Poland for agricultural supplies, arms, and equipment that she has already captured. She has access to the great reservoir of Russia, extending not alone across all of Europe but extending from the Baltic to the far-flung boundaries of the Pacific itself, with great resources of food and supplies of all kinds. Already she has great armaments. Russia has great armament plants. She is fully equipped for war. She has great airplane factories, great machines for turning out numberless cannon and all of the implements of war.

Here is Rumania, bordering on what was once Czechoslovakia. Germany has the advantage of that market. The allies can reach that market only through the Dardanelles if they ever reach it at all.

Here is Hungary, a great country, with a good army and great supplies of munitions. Germany has access to them.

Here is what was once Austria. Here is the corpse that once breathed life, but is now dead, Austria, with arms and munitions and food and equipment.

Here is Switzerland, a small country which may not have many supplies or many arms, but Germany has access to it.

Here is Italy, stretching from the German boundary away down into the Mediterranean, still technically neutral—war has not been declared—armed and equipped, possessing great manufacturing plants for the manufacture of armaments and implements and munitions of war. Germany can buy them everywhere she wants to buy them. Why? That is her natural advantage on the land. Nobody is responsible. Can the allies get to these countries? No. Can the allies reach these markets? They are shut out of those markets by geography. That is their misfortune. Should we go over and say, "You are not neutral. England cannot get any arms and ammunition anywhere else. You must sell to England and France"? That is not our objective. That is not our business. That is not our function. That is not our duty. We have no right to do it. That is a natural geographical advantage which Germany possesses, which we cannot take away from her, which we do not desire to take away from her, and which we shall not undertake to take away from her.

Oh, but it is said, "Here is the ocean out here. There are great ships on the ocean. France and Great Britain dominate the ocean with their merchant ships and with their Navies." That is true to a large extent. They do not always dominate it against submarines, though, the lurking assassins which wait unseen to destroy the lives of innocent

American citizens if they go to sea now; the lurking assassins that wait to destroy American cargoes shipped under the Embargo Act. Anything may move under the Embargo Act except arms or ammunition. Food may go anywhere to neutrals or belligerents; and, unless we repeal the Embargo Act and enact other legislation, as surely as the sun shall ever rise again American ships with food and supplies and other cargoes are going to be sunk.

Oh, but it is said, "Because England dominates the Atlantic Ocean you must not sell her anything. You must deny to her the advantage which she possesses. You must say to her, 'Since you are on the water we will not sell you anything, because Germany is not also on the water.'" By that token we should throw a ring around Germany and say, "Poland cannot sell to England, and therefore she must not sell to Germany." We might say to Russia, "You will not sell to England; therefore you must not sell to Germany, or you are not any longer a neutral."

Mr. President, that just shows how fallacious is this doctrine. We have no more right to deny the natural advantages of England and France or Great Britain and France upon the sea than we have by law or by act to undertake to deny to Germany or to Hitler the right to trade and carry on commerce which his country's natural geographical advantages give him.

More than that, Mr. President: Here is Norway. Here is Finland. Germany dominates the Baltic Sea. Already Germany has access to those markets if she needs them. She has access in a large sense—not altogether, perhaps—to Norway and Sweden. England cannot go into the Baltic. France cannot go into the Baltic. They cannot get supplies from Sweden or Finland. In addition they cannot buy from the other land powers already named. Is it any of our business to say to these nations, "Now, here; this is not right. Germany has an advantage on the map. She has a land advantage over England. England has not any adjoining territory. England has not Russia bordering her, stretching away, away, and away almost to touch the western sun. England has not all of Czecho-Slovakia and all of the Balkans reaching from her shores. England and France cannot buy in Italy, or Hungary, or Holland, and even Baltic nations must not sell Germany." England is an island. God made her that way. We did not make her, and she did not make herself. She is an island. Of course, she has to have ships, she has to have navies, if she is to live. And yet we are to say by the present embargo law, "Because you have a navy, because you have a merchant marine and because Germany has not, we will not sell anything to either one of you." But we will let Germany buy all she pleases from the land nations of Europe, the land reservoirs, the land supplies. That is her natural advantage.

Mr. President, we can interfere with neither if we are going to be neutral; but the Embargo Act which we now have does interfere. The Embargo Act takes away from England and from France the positions which they have enjoyed under international law as long as there has been international law. It deprives them of access to our markets. It deprives them of the freedom of our markets, not under international law, not because the council at The Hague said we had to do it, but because we, of our own motion, did it in the Embargo Act.

What does the Hague Convention say about the matter? Something was said to the effect that we had no right under international law to do what is proposed in the joint resolution. I have had prepared for me a memorandum quoting the treaties. I read from article VII of Convention No. XIII, the Hague Conferences of 1907. Let us see if we are forbidden to furnish arms and ammunition by international law, or by anybody else except those who want to keep this embargo.

This is what the article says:

A neutral power is not called upon to prevent the export or transport, on behalf of one or other of the belligerents, of arms, munitions of war, or, in general, of anything which can be of use to an army or a fleet.

That is international law. That is a treaty which the nations of Europe signed. I think the United States was a party to the Hague Convention.

Mr. PITTMAN. It was.

Mr. BORAH. It was; at least, it participated.

Mr. CONNALLY. The Senator from Idaho and the Senator from Nevada are in agreement on that point, at least that the United States was a member of the Hague Convention.

Let me say right here that there has been more misinformation, there has been more delusive and deceptive information, or misinformation—I will not call it information—about this whole measure, and about the Embargo Act, than about any similar question within my recollection.

A number of people in the country have been led to believe that the United States is to furnish arms and ammunition; that the Government is to do it. Why, of course the Government is not going to spend a nickle for arms and ammunition under this joint resolution. The Government will not furnish a single nation a single bayonet or a single bullet. This measure is simply a regulation of what our citizens may or may not do. It is simply an act with regard to the control and the regulation of our citizens and our ships. These arms and this ammunition will not be sold by the Government, or furnished by the Government, or given by the Government. They simply will be sold by our own citizens. They will be sold to foreign governments and foreign nationals it is true, but they will be sold here on our own soil. Before they leave our ports the title must be divested out of American citizens. They must be placed, not upon American ships, but upon neutral or other foreign ships. That is all that the joint resolution provides.

Mr. President, I also want to say that this same class of misinformation, this same delusive and deceptive and seductive propaganda, has been going out over the radio and through the press that keeping the embargo means peace; that repealing the embargo means war.

I have no doubt that many simple persons over the country have accepted that view. Many persons who are not simple, but who do not want to accept the truth, have accepted that view. A number of men with weak minds and strong mouths have accepted that view; but, Mr. President, that does not follow. That is not true.

I wish to demonstrate now that the Embargo Act will not keep us out of war, and I address this argument to those who believe that keeping the embargo means peace, and that repealing it means war. Some of them are in the galleries. Many professional people come to these galleries, not professional people in the sense of being doctors or lawyers or ministers, but professional listeners, who come here frequently with propaganda in their minds and applause in their hands, to try to influence the Senate. I want those, if any such there be in the galleries, to listen to what I am about to say.

Retention of the embargo does not mean peace. Possibly, and in all probability, retention of the embargo is going to mean war. A little later in my remarks, I propose to demonstrate that, on the other hand, the pending joint resolution, if legislation can accomplish any such result, will come more nearly keeping us out of war than any other measure that can be devised by the wit or the mind of man.

Mr. President, why does not the embargo mean peace? Why may not war ensue? I desire to call attention to the fact that under the present embargo law the prohibition rests only on arms, ammunition, and implements of war. It does not touch food, it does not touch cotton, it does not touch oil, it does not touch lumber, it does not touch a multitude of things which go out upon the high seas. If the embargo law is kept on the books, American ships—not foreign ships, but American ships—can carry any or all of these supplies, other than arms, ammunition, and implements of war, to any or all belligerents, to all nations at war, not simply to neutral countries. They may carry them right into England or right into Germany or right into France or right into any other warring nation.

What is going to happen? How long will the ships be at sea with American seamen on them and with an American captain on the bridge, with an American flag flying above them and with American goods in the holds? How long will they be upon the sea, under the present Embargo Act, before some submarine stealthily and slyly, perhaps in the night, in the dark, will submarine them and send them to the depths of the sea? Is there any Senator here wise enough to say that that will not happen? Is there any Senator here prepared to deny that that will happen?

Mr. President, in the World War it was not the kind of cargo our vessels carried that brought us into the war; it was not what they had on board. What brought us into that war was the unrestricted submarine warfare, when Germany announced that she would sink any kind of vessel carrying on commerce with any warring power. Our neutral ships were going about their own lawful business out on the high seas, where they had a right to be. They were on the high seas under the sanction of international law, under the sanction of law which had been venerated and observed by the nations for hundreds of years, and American citizens on those ships were murdered and sent to the deep. Those American ships, not carrying arms, not carrying ammunition, but carrying general cargoes, were sunk. That is why the Senator from Idaho [Mr. BORAH] voted for war. That is why I voted for war, because of the murder of American seamen and other American citizens while they were in the pursuit of their lawful business upon the peaceful highways of the sea. I do not desire to have to face a similar vote in Congress at this time, and I know the Senator from Idaho does not. We are trying to prevent that. But under the embargo law, if it is kept on the statute books, that is what is going to happen, as I shall demonstrate.

What happened in the World War? Let me show what happened during the World War, and prior to the United States entering the war, before we were a belligerent. I have here a list of the ships that were sunk and a description of their cargoes. I do not believe one of them had on board any arms or ammunition or a single implement of war. If that could happen in the World War, it could happen in this war. If it did happen in the World War, it will happen in this war.

First was the *William P. Frye*, sunk by a German raider on January 28, 1915. It carried a cargo of wheat. Are there any arms and ammunition in wheat? No arm except the strength it gives a soldier to pull the trigger of a gun.

Why should we make any difference in the Embargo Act between bullets and food? Why is it a crime to sell a bullet to feed a gun, but permissible to sell food with which to feed the man who pulls the trigger of the gun? The Germans make no difference between them. They will sink every kind of cargo. Is there anything sacred about arms and ammunition? Under the embargo law, the brass which goes into the shell may be sent, but not the shell. It is possible to send raw copper but not the shell manufactured from the copper. It is possible to send all raw materials out of which arms and ammunition may be made, to send all other general supplies with which armies may be equipped and fed and supplied on the field of battle.

The *William P. Frye* carried a cargo of wheat, wheat perhaps from Minnesota; and I see the junior Senator from Minnesota [Mr. LUNDEEN] in the Chamber. If the Senator from Minnesota wanted to stop these ships from being sunk, why did he not suggest that, instead of referring only to arms and ammunition, we should say, "You must not ship any wheat, because they will sink ships carrying wheat just as quickly as they will sink ships carrying arms"?

Mr. LUNDEEN. Mr. President, will the Senator from Texas yield?

Mr. CONNALLY. I yield.

Mr. LUNDEEN. The law is your law, it is the administration's law, it is the President's law. It was enacted by your administration, sir, and you voted for it, I believe.

Mr. CONNALLY. I did.

Mr. LUNDEEN. Now you are complaining about it.

Mr. CONNALLY. I did vote for it, under a deluded theory that it might keep other nations out of war. The Senator will find nothing in the RECORD in the way of a speech from me. I entertained views somewhat like those of the senior Senator from California [Mr. JOHNSON]. I apologize for quoting him while he is not in the Chamber. Let me read what the Senator from California said in 1935. I do not think I heard this speech. If I had heard it, I probably would not have voted for the embargo measure, the so-called Neutrality Act. I would not have voted with the Senator from Minnesota had I heard the wise and persuasive counsel of the Senator from California. Let me read what he said in 1935 when we passed the first Embargo Act. He said:

Neutrality, and then what? What do we mean by "neutrality"? The only thing that struck me as eloquent in the dispute that has been going on between Italy and Ethiopia was the remark made by the ruler of Ethiopia recently when he said, in substance, to those people who are preventing him from getting arms—

This is the ruler of Ethiopia speaking. He said:

You claim to be neutral.

He might say that to the Senator from Minnesota today. He might say that to other Senators who are opposing the repeal of the Embargo Act. This is what he said:

You claim to be neutral. You say that you are neutral in this contest. You know that my antagonist manufactures his arms and his ammunition, and has all that he needs in generous supply. You know that I have none; and yet you embargo sending arms to either of us—arms that he does not need, arms that I must have for self-defense. Your neutrality consists, therefore, of arming him to assassinate me.

The Senator from California added:

I concede this statement found sympathetic lodgement with me.

So they sank ships carrying wheat, no arms or ammunition, not a single bayonet concealed in those little grains of wheat, to raise which the farmers of Minnesota toiled in the winter and bent their backs in the summer sun. In this country we raise more wheat than we can consume, and we have a right to sell it abroad. Since the days of the establishment of international law our people have had the right to peacefully take their wheat and put it on ships and carry it anywhere, to neutral nations or to warring nations. The Senator knows that.

Next was the *Cushing*, attacked on April 28, 1915.

Mr. President, I realize that there is a world series going on outside. I should like to advise Senators, however, that there is another world series going on over in Europe, and that is the world series with which the Senator from Texas is concerned more than with the world series in this country, to the news of which Senators will go out and listen. [Laughter.]

The *Cushing*, on April 28, 1915, was attacked by a German airship. It carried a cargo of petroleum, no arms, no ammunition. Of course, it may be said that petroleum is used in warfare, and that is true. Wheat is also used in warfare, just as I have been saying. What leads to the sinking of the ships is not that they carry arms and ammunition; it is the fact that they carry anything useful in war, and in modern warfare nearly everything is useful. The ships will be sunk with the Embargo Act on the statute books just as they sank them during the World War.

The *Nebraska*, on May 1, 1915, was torpedoed by a German submarine. She was in ballast. Let me say to the Senator from Minnesota that the *Nebraska* carried no arms, carried no munitions, carried no implements of war. It carried no war supplies at all. It carried only water, water in ballast, and yet the Germans sank that ship.

The *Gulflight*, on May 20, 1915, was torpedoed by a German submarine. It carried a cargo of oil. It carried no munitions, no implements of war. Yet it was sunk. Such a ship can be and would be sunk under the present embargo law because there is no limit on these things.

The *Leelanaw* was sunk by torpedo and shell fire, July 25, 1915. It carried a cargo of flax. Again I wish to invite the attention of the Senator from Minnesota to the fact that the *Leelanaw* carried flax—flax perhaps raised in his

State. It carried no arms, no munitions, and no cannon, but carried a little bit of flax. The Germans sank that ship just as they will sink ships carrying flax in the present war. Unless we repeal the embargo law and put a real neutrality law on the books, the Germans can sink American vessels carrying flax to warring nations.

The *Oswego*, on August 14, 1915, was fired on 10 times, but made port. Well, she was lucky.

The *Petrolite*, on December 5, 1915, was fired on by Austrian submarine repeatedly after vessel had stopped. The vessel carried a cargo of oil.

The *Seaconnet*, on June 18, 1915, was damaged by mine or torpedo. It carried a cargo of timber. Timber! It carried no arms, no munitions, no implements of war, but carried some timber, possibly from Oregon or Washington. But someone may say, Mr. President, "The enemy might make clubs from that timber and fight with the clubs." The Germans did not ask whether or not that would be done. They said, "This ship carries a cargo of timber. We are going to sink her. The enemy might make fortifications out of the timber."

Mr. President, I do not want to burden the Senate with reading the long list of ships which were sunk during the World War. I have not been able to examine the cases in detail, but, so far as I have examined them, not a single one of those ships carried arms, munitions, or implements of war; yet they were sunk.

During the World War and prior to the United States entering that war Germany sank or attacked the following steamships:

William P. Frye, January 28, 1915. Sunk by German raider *Prinz Eitel Friedrich*. Crew taken off. Carried a cargo of wheat (American Journal of International Law, vol. 9, 1915, special supplement Diplomatic Correspondence Between the United States and Belligerent Governments Relating to Neutral Rights and Commerce, p. 180).

Cushing, April 28, 1915. Attacked by German airship. Carried cargo of petroleum. (New York Times, May 1, 1915, p. 1, column 7.)

Nebraska, May 1, 1915. Torpedoed by German submarine. In ballast. (New York Times, May 27, 1915, p. 1, columns 4, 5.)

Gulfight, May 20(?), 1915. Torpedoed by German submarine. Proceeded. Carried cargo of oil. (New York Times, May 3, 1915, p. 1, column 8.)

Leelanaw, July 25, 1915. Sunk by torpedo and shell fire. Carried cargo of flax. (New York Times, July 27, 1915, p. 1, column 8.)

Oswego, August 14, 1915. Fired on 10 times, but made port.

Petrolite, December 5, 1915. Fired on by Austrian submarine repeatedly after vessel had stopped. Carried cargo of oil. (New York Times, December 8, 1915, p. 2, column 1; December 9, 1915, p. 3, column 2.)

Seaconnet, June 18, 1915 (1916). Damaged by mine or torpedo. Carried cargo of timber. (New York Times, June 21, 1916, p. 6, column 3.)

Kansan, October —, 1916. Fired on by U-53, leaving United States. Struck mine after reaching other side. Six men injured in mine explosion. Carried cargo of war supplies and horses. (New York Times, Oct. 15, 1916, sec. 1, p. 2, columns 4-6.)

Lanao (Philippine), October 28, 1916. Destroyed by German submarine. Carried cargo of rice. (New York Times, Nov. 7, 1916, column 4, p. 1.)

Columbian, November 7, 1916. Sunk by German submarine.

Chemung, November 26, 1916. Sunk by Austrian submarine. Carried a general cargo, including 5,760 plates of spelter, 854 tons pig iron, 300 coils of copper wire, 36 barrels of copper, 200 bales of cotton, 153 cases of iron wire, and quantities of provisions; no ammunition or powder on her manifest. (New York Times, Nov. 29, 1916, p. 1, column 1.)

St. Helens, December 10, 1916. Attacked by German submarine.

Rebecca Palmer, December 14, 1916. Fired on by German submarine. Damage light.

Galena, December 15, 1916. Fired on by German submarine.

Sacramento, January 9, 1917. Fired on by German submarine.

Westwego, January 21, 1917. Stopped by German submarine, but allowed to proceed.

Housatonic, February 3, 1917. Sunk by German submarine. Carried a cargo of contraband. (New York Times, Feb. 4, 1917, sec. 1, p. 1, column 5.)

Lyman M. Law, February 13, 1917. Burned by submarine.

Communiaw, December 3, 1915. Fired on, but proceeded. Carried cargo of oil. (New York Times, Dec. 8, 1915, p. 1, column 8.)

Algonquin, March 12, 1917. Sunk by German submarine. Carried cargo of foodstuffs. (New York Times, March 15, 1917, p. 1, column 8.)

City of Memphis, March 18, 1917. Sunk by gunfire. In ballast. (New York Times, Mar. 19, 1917, p. 2, column 8.)

Illinois, March 18, 1917. Sunk by submarine. In ballast. (New York Times, Mar. 19, 1917, p. 2, column 1.)

Vigilancia, March 18, 1917. Sunk by submarine. Carried general cargo. (New York Times, Mar. 19, 1917, p. 2, column 3.)

Evelyn, sunk by mine outside war-zone limits. Carried cargo of cotton. (Feb. 22, 1915, p. 1, column 8.)

Carib, sunk by mine off German coast. (Feb. 24, 1915, p. 1, columns 5, 8.)

The Congressional Library compiled this information with respect to American merchant ships sunk or attacked prior to the United States' entry into the World War.

Ships were sunk so often with the loss of American lives that American patience was finally exhausted, and, in retaliation for that sort of murderous warfare, involving, as it did, the loss of American lives and American shipping, America finally declared the existence of a state of war—a war already made upon it by Germany. We stripped for action, sent 4,000,000 men to fight with the armies of the Allies, and sent our Navy and marines into war.

Mr. President, I do not want that to happen again. Yet there are Senators who are forced to say, as I would be forced to say, that when a foreign nation attacks our citizens and murders our people and destroys our property and invades our sovereignty, our country, of course, has no other recourse except war. I do not want to have to face that alternative. However, that alternative will be faced unless the embargo is repealed, because American ships will surely be sent from our shores, under the embargo. The promise of profits, the hope of high rewards will lure American ships to carry cargo to warring nations.

Mr. President, what else do we find? We find that not only in the World War were American ships sunk when carrying no arms and no munitions and no implements of war, but American ships are going to be sunk again if we keep the present arms embargo law without change or amendment. Why do I say that? Mr. President, just the other day the item was carried in the news that German submarines had sunk Finnish ships. Finland is a neutral nation. Finland is not at war. Those Finnish ships carried no arms, no munitions, no implements of war. They carried wood pulp. Think of it, wood pulp! The Germans sank those neutral ships, sent them to the bottom.

The press has carried reports of the sinking of several Swedish ships which carried no arms, no munitions, no implements of war, but the ships were sunk just the same.

The press has also carried reports of the sinking of Danish ships. Denmark is a neutral country, its ships fly a neutral flag, and carry neutral cargoes; they carry no arms, no munitions, and no implements of war, yet they were sunk. One of the cargoes consisted of butter.

So, Mr. President, the arms embargo offers no assurance of peace. It does not even offer a hope of peace.

We did not go to war with Germany because she sank munition ships. She made no distinction. We went to war because she sank our peaceful vessels, vessels carrying neutral cargoes, and murdered and took the lives of American citizens who had a right to be where they were under international

law, under the laws of humanity, and under the laws of God. That can happen again, and it will happen, because the Embargo Act allows anything, except arms, munitions, and implements of war, to move in American ships to warring countries.

Mr. President, our objective, and our only objective, is to keep out of this terrible war. We are not responsible for it. God knows if the American people could have had any influence, it would never have occurred. We thought we were having an influence upon it in passing the Embargo Act, but we know now that it never caused the monsters who planned this war to hesitate a moment. If it ever beat upon their ear drums, it found no registry in their minds. They went right on completing their plans and carried them into execution, and so we could not stop the war.

Mr. President, our objective is to keep the desolation and the cruelty of this world war from the shores of America. I do not want to aid in again calling to the colors the fine young men, with life all before them, with their hopes and their ambitions to be realized—I do not want to call them out upon the red fields of battle, to suffer wounds, to suffer maiming, perhaps to suffer death. I do not want to visit the homes of this Republic with sorrow and with grief. I do not want to bring desolation and misery to the peoples of America and to the world.

We want to keep out of the war. What is the most practical, the most sensible, and the plainest course for us to pursue? I submit, Mr. President, that the joint resolution gives the greatest possible assurance of any measure that can be devised by any legislative body. It makes sacrifices, it makes sacrifices of our shipping and entails sacrifices upon our people greater than have ever been made by any people in all the history of warfare, greater than any that occurred since Attila with his horde ravaged and pillaged Europe. It makes a greater sacrifice than any that was ever made since Genghis Kahn swept out of the parched Asian deserts and devastated and conquered peaceful lands and peaceful people. But, Mr. President, we are doing it willingly; we are doing it as a domestic regulation; we are doing it in order to save the necessity for facing the issue as to involvement or noninvolvement in the war. We want to stay out of the war, and we are going just as far as any people can go in this legislation to stay out of the war.

We were dragged into the World War. I say we were dragged in. We did not want to go in. We were dragged in. We were dragged up to the door several times and then we broke away and we would not go in. Our ships were sunk, our citizens were murdered, just as our ships will be sunk now and our citizens murdered if the embargo is kept as it is written now, because our ships are going to sail from our ports. The profits are so great, the rewards are so heavy that under the present embargo law shipowners in New York will send their cargoes and will send their poor seamen, who have no control over where they go, into danger zones, and when they get in there German submarines will sink them. So I say that in the World War we were dragged up to the door of war by the sinking of one vessel and we broke away. We did not want to go in. Then another one was sunk, and we were dragged up to the door of war again, but we broke away and we did not go in. They kept dragging us and dragging us until our patience was finally exhausted, and we unwillingly then accepted the issue of war, and reluctantly drew the sword in order to vindicate the rights of our people, international dignity, and the sanctity of American life.

Mr. President, I do not want to do that any more. We have to remove the reason for doing that. The joint resolution does that more clearly than any measure so far proposed. There is nothing else we can do unless we voluntarily renounce and give up all our foreign trade with every nation. That is unthinkable. President Jefferson tried that in 1807 during the Napoleonic wars. It brought ruin, devastation, division, dissension, and bitterness upon the people of the United States, and the Congress finally had to repeal it. It did not help our business, yet we were dragged into the war of 1812. There is no other course save this one unless we want voluntarily to renounce all of our foreign shipping and

all of our foreign trade with every nation on earth. That sort of renunciation would be a cowardly and a spineless doctrine unworthy of the Senate and unworthy of the American people.

The American people do not expect us, as their servants and representatives, to make that kind of a surrender, which would damn us in the eyes of every self-respecting nation on earth. That is all we can do unless the present proposal answers the question.

Mr. President, I wish to conclude. What is our plan? Our plan is to allow American ships to carry no commerce—not merely arms and ammunition, but no commerce—to the nations at war. Not a bite of food, not one arm, not one cannon, not one piece of ammunition, not one piece of clothing to shelter the naked, or one bushel of wheat to feed the hungry may be sent to the warring nations in American ships. We do propose that all nations may buy the products of our farms and factories, any and everything, if they are carried away in foreign ships.

Then, Mr. President, we propose that American citizens shall not sail upon belligerent ships except under most extreme circumstances and subject to regulations. There might be some extreme case in which an isolated part of the world had no steamship service except that of a nation at war, and in which there would be no danger in an American traveling on such a ship. In that kind of a case it would be permitted. That there is danger for Americans to travel even on passenger ships of any nation is shown by the sinking of the *Athenia*, upon which more than 100 Americans were passengers. It sailed from Europe before war broke out, carried no arms or munitions and yet it was sunk by a submarine without notice.

Mr. President, so far as shipping in the Pacific Ocean is concerned we have gone further in the joint resolution than I think was necessary. Under the provisions of the joint resolution an American ship may not carry a cargo to Hong Kong, to Australia, or to New Zealand. I think that is an extreme and radical limitation of the rights of American shipping. I cite it only to show how far we have gone, how tremendous are the sacrifices we are making. I cite it to show how earnest we are that as a government and as a people we shall do everything within human reason to forego the alternative of facing the issue of whether we shall go into the great raging war.

Mr. President, American vessels are prohibited from carrying passengers or commerce to nations at war. Why? As I have already said, in the World War neutral ships were sunk. Today neutral ships with neutral cargoes are being sunk because they are going to a nation at war, although such ships may not carry any arms or ammunition. Under the provisions of the joint resolution, it would not be possible to sink an American ship going to a nation at war, because there would be no American ships going to the nations at war. The joint resolution would prohibit it. An American ship going to a nation at war could not be sunk, because under the terms of the joint resolution there would be no such ship.

Mr. President, we provide that title to cargoes must be transferred before the cargoes leave American shores. Why? In the World War the cargoes which were sunk belonged in some cases to American citizens. We had a right to make claim for reparations, because American citizens had a right to ship those cargoes. However, Mr. President, we do not want to have that situation occur again, so we provided that no cargo destined to a belligerent shall leave American shores until its title is transferred to a warring nation or to some of its subjects or agents. Therefore, no American cargo destined for a nation at war can be sunk, because there will be no American cargo bound for a nation at war. That is our answer. How much stronger could we make it? What greater sacrifices could be asked? What greater assurance is demanded of our desire to stay out of war?

Mr. President, the joint resolution not only prohibits Americans from traveling on ships of warring nations; it not only prohibits American ships from carrying any kind of commerce to the nations at war; but, as an added protection, as an in-

creased safeguard, it provides that from time to time the President may lay down combat areas or danger zones, and that after he so proclaims such an area or zone any American ship is prohibited from going into that combat area, whether the ship be destined for a neutral port or for the port of a nation at war. That is in addition to all the other safeguards. For instance, if a ship should be going to Holland, a neutral nation, and it should develop that there is danger of that ship being sunk by a submarine or any other war implement off the coast of Holland, the President could delimit a war-combat area. Then none of our ships would be permitted to go into that area, whether it was going to a neutral nation or to a nation at war. That is an added safeguard.

We also provide that American citizens shall not travel on belligerent ships. I think I briefly referred to that provision earlier in my remarks. Why is that true? We do not want our citizens murdered. We do not want them submarined. So no citizen will be submarined on a belligerent ship. Under the proposed law no citizen may go on the ship of a nation at war. Therefore, he cannot be sunk. In other clauses we prohibit him from going on American ships anywhere except to a neutral port. Is there any greater assurance? That provision is a restriction of the liberty of our people. It is a restriction of their freedom to go where they desire to go. They went where they desired to go during the World War. They went out upon the high seas, supposedly under the aegis and protection of international law, because international law said they had a right to go there. However, Germany said she had the power to prevent them from going there, and German submarines sank them and murdered them. We do not recognize any such right in a belligerent nation. We still stand upon our rights under international law; but, recognizing realities, observing dangers when we face them, we now say to our citizens, "Although under international law you have a right to go about your vocation and to travel the high seas, as a domestic regulation we forbid you to do so at this time, in order not alone to protect your lives, but to protect the lives of all the millions of Americans and help keep them out of a devastating and desolating war." That is the purpose of keeping citizens off belligerent ships.

Mr. President, we provide that American ports may not be used in any way by foreign agents in carrying war supplies, messages, or information from American ports to warships at sea. The Senator from Idaho [Mr. BORAH] the other night in a radio speech, imputing to us a certain purpose, said:

Is it not your main purpose in securing repeal to enable us to furnish arms, munitions, and implements of war to one group of nations and to deny them to another group of nations, which groups are now in mortal combat?

Is it not your purpose to take sides through the authority which will be available when the embargo law is repealed?

Mr. President, with all the seriousness and earnestness at my command, I wish to say that that statement was an unfair assumption on the part of the Senator from Idaho. The section which I am discussing, the prohibition against the use of our ports for the dissemination of arms, munitions, or supplies, or anything to a belligerent ship, contradicts the Senator and gives the answer in more eloquent words than I could employ. If we were becoming an ally, as it is charged we are becoming an ally of certain nations at war, if it be true that England and France dominate the seas, then this prohibition could apply only to England and France, whose ships would hang around our coast. We tell them that they may not do it; that they may not use American ports as secret bases, whether such ships fly the British flag, or the French flag, or whether submarines stealthily creep up into the harbor at night and in the morning unfurl the German flag.

The National Munitions Control Board is continued. It is given new powers. No vessel may carry munitions abroad, even to neutrals—no guns or ammunition may leave American shores until the exporter himself has obtained not only a license to deal in munitions and supplies but a license for

the individual articles which he is then exporting. We strengthen the law by inserting a provision that when he obtains his license he shall give the name of the purchaser to whom the arms are going, as well as all the details of the terms of sale. We require that he shall make a report to the Congress or to the President on the 1st of January and the 1st of July. That report will disclose all that information, and the Congress will be constantly in possession of facts as to where the exportation of arms, ammunition, munitions, and implements of war are going. If in the interest of peace, in order to keep us out of war, we have to do other things in the future, Congress will have the information upon which it can act.

As I have already observed, this joint resolution represents and gives assurance against war. The Committee on Foreign Relations of the Senate has made a clear and readily understandable report. The joint resolution has been printed and widely disseminated. It has been drafted with great care. Those who drafted the resolution have conferred with the President of the United States, with officials of the State Department, and the entire Committee on Foreign Relations of the Senate have considered the resolution with meticulous care and have given it studious and unusual consideration. It represents the matured and deliberate thought of the committee as to the best available measure to prevent the involvement of the United States in war. That has been the ever constant purpose of those supporting it. We hope that it may meet with the approval of the Senate and of the country.

Mr. President, I wish to return briefly to what I have already said about the statement of the Senator from Idaho on Monday last, that international law had nothing on earth to do with the passage of the embargo, that we had no obligations under international law with respect to it. My reply now is that if international law did not have anything to do with its passage, it has nothing to do with its repeal. The Senator from Idaho carried out that idea on Monday last, I thought, in his colloquy with the Senator from Nevada [Mr. PRITTMAN] when the Senator from Idaho asked if our embargo law is not operating neutrally in Europe, what business is it of ours? My reply is that the reason it is the business of ours is because we passed the law; it is our law; and if our law is operating unneutrally and unfairly in Europe it is our business to repeal our law.

Mr. President, the Senator from Idaho also propounded the question—I know he did not really mean it, in all its implications—if we repeal the embargo are we not taking sides? And he said we would be taking sides.

Mr. President, we are not taking sides except as the natural and geographical advantages may affect one nation and naval and oceanic advantages may affect another. If we are taking sides, my answer to that statement is that we are not taking sides now but that we did take sides when we passed the embargo back yonder, and said to Mr. Hitler, "Go ahead; prepare; arm yourself; get your cannon; get your ammunition; prepare your war charts; prepare for conquest, prepare for subjugating other nations, and we will promise you"—it is said this act was a promise to the nations of Europe—"we will promise you, in advance, that when you strike your enemy or your victim he shall get no aid, shall get no weapons, shall get no supplies with which to defend himself."

Mr. President, the Embargo Act also permits the aggressor to say when he will strike. He does not ask the advice of anyone else as to when he will strike. Like a poised rattler, he waits until his victim is in a position where he can take him most quickly and most safely. When the aggressor strikes, that is the hour that determines when the victim can get no more supplies. We did not fix the time. The aggressor fixes the time when his victim is to be shut off from arms and supplies, because the moment he strikes war breaks out; instantaneously the armies march, and the victim of aggression, a weak, peaceful, defenseless nation, unprepared, possessing no airplanes, possessing no munitions and no munition plants, must succumb, because we have condemned it to succumb long before the fact developed.

Mr. President, in conclusion, let me say, as I have probably said already many times, that any war is a terrible tragedy; any war that visits any people brings along with it so much of wreck and so much of ruin and so much wreckage and devastation, the shedding of so much innocent human blood, that it is something that ought to be outlawed by civilized nations and peoples. We have undertaken by this joint resolution to draw a program and a plan that will do all that is humanly possible by legislation to keep America out of such a war.

Europe is now bleeding and staggering amidst the horrors and heartlessness of a war that has engulfed already millions of people in its frightful miseries. This war is not of our making; it is not of our agency; we contributed nothing to its motives; yet these armies, with all the enginery and all the modern machinery of war, are engaged in the enterprise of destroying and killing and butchering countless men, women, and children, and devastating one of the fairest sections of this revolving globe.

America, Mr. President, has among its best ideals an ideal of peace. We want to live with the rest of the world in harmony. We believe in international conciliation and the adjustment of international quarrels around the council table. I covet for my country, as I know other Senators do, that it may be able to go forward and pursue its peaceful ambitions, realize its peaceful hopes, and that our people may be allowed to follow their peaceful vocations toward that day of prosperity and happiness which they envision. But, Mr. President, we cannot make over the world. Today a great part of the earth has surrendered to the rule of the sword. Armed might has dethroned the processes of peace—right and law and ethics are overthrown. Armed might rules like a king on a throne. The soldier with a sword in his hand rules like a sceptered monarch. That has happened under our very eyes. It has happened in sound of our ears. We must recognize that condition. So while I believe that the pending joint resolution will keep us out of war, yet America, in the interest of its own people, its own territory, and its own institutions, must be prepared in this sort of a world to defend itself from conquest and military mastery. We have got to be prepared to defend ourselves against foreign armies and foreign conquerors and foreign dictators. Those ambitious dictators who build great armies intend to fight some nation when they are ready. We are rich in soil, we are rich in resources, we possess much to which the cupidity and the lust for loot might well be attracted. While we hope and pray that, under God, this joint resolution will keep us out of war, I think that, going along with it, we should make still greater preparations not for offense but for defense, not for war but for peace, of our Navy and of our Army and of our aircraft and of our anti-aircraft defenses.

Mr. President, we have upon one side of us a mighty ocean whose waters wash the shores of Europe. On the other we have another great ocean that sweeps away until it touches the lands of the Orient. Frequently it is said that we are defended by two oceans. There might have been such a time. There was a time, perhaps, when an ocean was a bulwark, when an ocean was a watery wall that kept out aggressors and enemies; but that condition no longer exists. Today, with modern shipping and modern submarines and modern aircraft, oceans are but highways, four-way highways to bring armed enemies to the shores of a peaceful people. That is true in the Pacific. That is true in the Atlantic. I believe that if we are to remain aloof from the ambitions and the quarrels and the struggles of the great ambitious militaristic powers of the world we shall have to have a navy big enough to dominate both the Atlantic and the Pacific. It is true that we have the Panama Canal, a little bottle neck which might be destroyed tomorrow by an aerial bomb. We cannot switch our Navy from one ocean to the other in an emergency in time to meet our needs. While I know it will cost much of human treasure, I believe we ought to have a navy strong enough and powerful enough to dominate both oceans. Yes, it will cost money; but while it may cost money, it may save blood. While it may cost human exertion, it may save human life. A billion

dollars spent today may save us many billions in the years to come.

In addition to building up our Navy until it has no superior upon the seas, I believe that at the present moment our Army should be brought up to its authorized strength. I believe that we ought to increase our aircraft, both naval aircraft and military aircraft, so that we may say to the other nations of the earth, "We want no war with you; we want peace; but if war is the only edict that you can declare, and you attack us, we shall be able to meet you and we shall meet you on the battlefield, though we have been unsuccessful in meeting you in the forum with our laws."

Mr. President, we ought to increase our airplanes both defensively and offensively. We ought to protect our centers of population with adequate aircraft defenses.

Something was said here about the duty of America to remain a great exemplar of democracy and of free government enlightening the world. I covet for it that ambition. I want my country ever to be that. But, Mr. President, when force has overthrown right, when the sword has overthrown the lawbook, when the world is ruled by armed might America can do no less than to recognize that fact and be prepared to repel any aggressor that violates our sovereignty, or our soil, or the lives or liberties of our people.

Mr. President, when you are going to a conference of armed men who are going to fight, it is no place for a Sunday-school teacher with a prayerbook unless he carries his weapons with him. He must know how to shoot as well as pray. I detract nothing from those noble conceptions; but would it not be a still nobler conception to say, "Yes; we are for peace, we believe in peace, we believe in democracy, we believe in self-rule; but we also believe that if any aggressor, any nation that does not believe in self-rule, any nation that does not believe in peace, any nation that does not believe in the sanctity of human life, wants to come over and attack us, or revise our views or our civilization, we shall be ready to defend and protect our shores?"

Mr. President, during this debate something has been said about ideologies. I care nothing about ideologies. As a nation we are not concerned with the kind of government Germany has. That is a matter for the decision of Germany and its people. As a government and as a people, we have no concern and no right of concern with the kind of government that Russia may have. While we might wish that they had governments like our own—governments under constitutions, governments under courts, governments under democratic processes, governments of free speech and free press and freedom of religion—still we have no right by force to impose our will upon them. We have no concern with the kind of government England may possess, or France, or Italy, or Japan. We have never said to Japan, "You shall not have an emperor. We have no emperor, and therefore you shall not have one." We have never said to Italy, "You shall not have a king, who struts his little day in imitation of a Roman emperor, and yet is overshadowed by a sinister figure with a mailed fist, towering above the supposed king of your land." That is their concern. But, Mr. President, while they have their rights within their own lands, when they cross their boundaries and go out into the field of international law and international rights we do have concern.

In 1823 President Monroe and the American people laid down the Monroe Doctrine, in which we said that thenceforth and forever Central and South America would not be permitted to be exploited and resubjugated by European powers; that the monarchies could not establish any portion of their system on the Western Hemisphere; and that if they did American arms and American might would resist them. We drove Louis Napoleon and the French out of Mexico, after Maximilian's fatal enterprise.

Mr. President, if there be ideologies in Europe, if there be fascism and nazi-ism and communism, they have a right to exist within their own lands; but they must not come over here. If other nations come to America with their spies, as it has been charged they have already done; if they come to

America with their secret agents and undertake to infiltrate into the minds of our people disloyalty to our own flag, and build up a loyalty and a love for the flag of another land; if they come to Central and South America and seek to alienate those peoples into following the ideologies of Europe and against the concepts and the safety of the United States and our interpretation of the Monroe Doctrine, I agree with the Senator from Idaho [Mr. BORAH], who said in a speech some time ago that it will be the duty of America to say that they must get out and they must stay out; and, if need be, we must fight to put them out.

Mr. President, in conclusion, in this solemn hour, when the world is engulfed in blood, when great armies with bloody swords and flaming torches are marching over the boundaries of great nations that were, desolating and devastating lands and conquering and subduing peoples, America wants no part in that war. This joint resolution we offer as the best assurance and the best promise and the best guaranty to keep us out of that war. But while we are offering that as a law, we also want to send to them and to all the world this message:

"America wants no war with anyone. We covet the right to live under our own free democracy, our own Constitution and courts, with free press and free religion and free speech. We want to pursue the paths of peace. We will remain neutral. We refuse to give up, however, every right which the American citizen may enjoy."

Mr. President, finally, we say to them: "While we want peace and pray for peace, if you should contemplate the conquest or an attack on American soil or American lives or American institutions, we propose with Army and with Navy and with swarming airplanes and antiaircraft defenses to be able to defend the territory, the integrity, the lives, and the liberties of our people, and the governmental institutions of the United States."

Mr. President, under God we can do no less as the representatives of a free and an independent people.

Mr. McNARY. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. McKELLAR in the chair). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	Lee	Russell
Andrews	Downey	Lodge	Schwartz
Austin	Ellender	Lucas	Schwellenbach
Bailey	Frazier	Lundeen	Sheppard
Barbour	George	McCarran	Shipstead
Barkley	Gerry	McKellar	Slattery
Bilbo	Gibson	McNary	Smathers
Borah	Gillette	Maloney	Stewart
Bridges	Green	Mead	Taft
Brown	Guffey	Miller	Thomas, Okla.
Bulow	Gurney	Minton	Thomas, Utah
Burke	Hale	Murray	Tobey
Byrd	Hatch	Neely	Townsend
Byrnes	Hayden	Norris	Truman
Capper	Herring	Nye	Tydings
Caraway	Hill	O'Mahoney	Vandenberg
Chavez	Holman	Overton	Van Nuys
Clark, Idaho	Holt	Pepper	Walsh
Clark, Mo.	Johnson, Calif.	Pittman	White
Connally	Johnson, Colo.	Radcliffe	Wiley
Danaher	King	Reed	
Davis	La Follette	Reynolds	

The PRESIDING OFFICER. Eighty-six Senators having answered to their names, a quorum is present.

Mr. VANDENBERG. Mr. President, because the words which will be uttered in the consideration of this bill are addressed to a desperately vital subject of world-wide importance and interpretation, I am anxious—for myself—not to be drawn into any unpremeditated observations. Therefore, I am suggesting to the Senate for the first time in my service here that I be permitted to proceed without interruption, at least until I have concluded my argument and defined the faith that is in me.

Mr. President, I believe this debate symbolically involves the most momentous decision, in the eyes of America and of the world, that the United States Senate has confronted in a generation. In the midst of foreign war and the alarms of other wars, we are asked to depart basically from the neutrality which the American Congress has twice told the world, since 1935, would be our rule of conduct in such event. We

are particularly asked to depart from it through the repeal of existing neutrality law establishing an embargo on arms, ammunition, and implements of war. We are asked to depart from it in violation of our own officially asserted doctrine, during the World War, that the rules of a neutral cannot be prejudicially altered in the midst of a war. We are asked to depart from international law itself, as we ourselves have officially declared it to exist. Consciously or otherwise, but mostly consciously, we are asked to depart from it in behalf of one belligerent whom our personal sympathies largely favor, and against another belligerent whom our personal feelings largely condemn. In my opinion, this is the road that may lead us to war, and I will not voluntarily take it.

Mr. President, millions of Americans, including many Members of the Congress, believe—rightly or wrongly—this action not only breaks down our will to peace but also relatively faces toward our involvement in this war. Therefore millions of Americans and many Members of the Congress, regardless of their belligerent sympathies, earnestly oppose the inauguration of such a trend. The proponents of the change vehemently insist that their steadfast purpose, like ours, is to keep America out of the war, and their sincere assurances are presented to our people. But the motive is obvious, and the inevitable interpretation of the change, inevitably invited by the circumstances, will be that we have officially taken sides. Somebody will be fooled—either the America which is assured that the change is wholly pacific, or the foreigners who believe it is the casting of our die. Either of these disillusionments would be intolerable. Each is ominous. Yet someone will be fooled—either those at home who expect too much, or those abroad who will get too little.

There is no such hazard, at least to our own America, in preserving neutrality in the existing law precisely as we almost unanimously notified the world was our intention as recently as 1935 and 1937. There is no such jeopardy, at least to our own America, in maintaining the arms embargo as it is. No menace, no jeopardy, to us can thus be persuasively conjured. Therefore millions of Americans and many Members of the Congress can see no reason for the change, but infinite reason to the contrary, if neutral detachment is our sole objective. I am one who deeply holds this view. If I err, I want to err on America's side. I oppose the change and I present the reasons for my view.

The immediate issue actually before the Senate turns upon legislation which, within itself, probably approaches no such intrinsic magnitude as I have attributed to the decision we must make. It approaches no such inherent magnitude because both the existing neutrality law and the pending substitute for it include far-reaching restraints upon those military and economic factors which are calculated to precipitate us into war. The existing law and the new proposal alike have strongly helpful insulations, and at frequent points they substantially converge. The proponents of both propositions vie with each other in declaring their objective to be to keep this country out of war. Unfortunately, however, the effects of our decision will not confine themselves within these narrow legalistic limitations. The fact of the matter is that the embargo upon arms, ammunition, and implements of war, which the pending proposal would repeal, has come to be the trade-mark of a national state of mind, a national motive, and a great national purpose—the symbol of an attitude, the symbol of our real neutrality, and our non-involvement.

This is true both at home and abroad. To change the symbol dangerously invites the conclusion that we have changed our attitude. As a matter of fact, it must and does change our neutrality—we get not more of it, but less. No matter how earnestly the proponents of the change may seek to cushion it for peace, and they have made every effort, the cold, stark fact of fundamental change itself remains. No matter what new insulating devices are created, the greatest of all protections against our involvement is stricken down. Of course, it is not intended as a step toward war. But definitely, under existing circumstances, it is not and cannot be a step toward peace. The consequences—concerning which I hope to Heaven I am wholly wrong—are

a monstrous speculation. There is no speculation, on the other hand, in keeping what we have and in adding new protections to it. Why speculate at all? Why take any chance? Any speculation with American destiny is fraught with peril in such fluxing hours as those which now curse a distraught world. In its implications and its trends the embargo repeal may be the very augury of peace or war for our own United States. And in whatever degree this may be true, the lengthened shadow of this outcome falls athwart not only the hearthstones of America but also across the very perpetuity of the American Republic.

Rightly or wrongly, I feel thus deeply about the problem at the Senate's bar. I shall seek and hope to speak this afternoon in keeping with the solemn spirit of such a vital challenge.

Mr. President, at the outset I want to subscribe myself in agreement with the President of the United States in his message of September 21, that the issue transcends any thought or phase of domestic politics. To prostitute the peace of America to politics would be sheer treason. On the other hand, I am certain that the President equally would agree that those of us who fear the unleashed consequences of the major proposal in the pending bill—the repeal of the arms embargo—should say so in candor, conscience, and conviction. The adjournment of partisanship in such a moment does not require the abdication of independent judgments. It would be the height of totalitarian politics of the most offensive and undemocratic sort to pretend otherwise. Both patriotism and free speech can still dwell together on this side of the globe. Meanwhile, what happens to any of us politically in such an hour is of no moment to the country. But what happens to our country is of vital concern to us all.

At the outset, too, I shall concur in another admirable statement in the President's message. I make his words my own: "Because I am wholly willing to ascribe an honorable desire for peace to those who hold different views from my own, I trust that these gentlemen will be sufficiently generous to ascribe equally lofty purpose to those with whom they disagree." That should be our reciprocal rule. There is no hope for that final unity of purpose and procedure which is ultimately indispensable to successful national action, after our irrevocable decisions have been made, if the twin vices of faction and suspicion shall make it impossible for us honorably to differ while the decisions are in process. I respect the motives behind every vote that shall be cast upon this roll call.

Though I uncompromisingly disagree with them, I respect the belief of those who sponsor this pending substitute that they have compensated our chance to remain at peace for its loss of the indispensable arms embargo. In this business of honorably keeping out of war there is no certain sanctuary. But, unfortunately, the best of motives and the warmest pronouncements are not alone enough—as we once discovered to our sorrow when a great President who was elected because "he kept us out of war" found himself catapulted into war within 40 days after his reinauguration.

At the outset again I concur in the President's defense of the principles of liberty, religion, morality, and international good faith, and in his condemnation of military conquest. I hate these latter things. So does America. There is no doubt about our overwhelming personal attitude upon these subjects nor toward today's belligerents. Yes; and if America is ever challenged upon this malignant score—either here or elsewhere on this continent—there can be no doubt of our uncompromising answer. We shall invincibly answer with our lives and fortunes. Any alien tyrant who might reckon otherwise would be tragically disillusioned. We are not too proud to fight. But I am not voting upon that issue now. It has not arisen. I am not speaking upon that issue now. My external sympathies are not involved. In my view, they have no right to be involved. This is a problem in neutrality, not in unneutrality. I must think solely of the welfare of our own America. I believe that warfare is inseparably linked to immunity to any foreign war which does not come to us. "America first" is now a literal necessity. The single, paramount question is,

Shall America stay out of this war, and how? Again I quote the President:

Our acts must be guided by one single, hard-headed thought—keeping America out of this war.

Hard-headedly I applaud the objective. Hard-headedly I dissent from the proposed method of reaching it.

Thus it appears that both sides in this controversy say that we must stay out of this war. The split comes over the formula to keep us out. The chief split—the one issue that overshadows all others—comes over the proposed repeal of the existing embargo on arms, ammunition, and implements of war to all belligerents. You, upon the other side of this debate, assert with the President that it is the embargo itself which endangers peace, though I cannot for the life of me understand it is if it is our peace you are discussing. We, on the contrary, are guided by the one, single, hard-headed thought that to repeal the arms embargo is to strike down a great, indispensable, insulating defense against our involvement in this war; that the repeal, though labeled otherwise, is in its essence a deliberately unneutral act which may too easily be the forerunner of others when once the habit starts; that the substitution of so-called cash and carry as respects munitions is the inauguration of relatively dangerous and complicating factors which seriously hamper if they do not finally destroy our detachment. We are guided by the one, single, hard-headed thought that the retention of the arms embargo cannot possibly involve us in any of these compromising factors; that repeal is not relatively the surest road to peace; that it may finally be the road to war. I oppose repeal because I believe repeal makes us relatively vulnerable while the embargo leaves us relatively immune. And there the major issue lies.

Mr. President, it is not an issue—and I beg of you to let me make it plain—between the arms embargo, on the one hand, and all the other protective devices proposed in the joint resolution, upon the other hand, although the eloquent address of the able and distinguished Senator from Texas [Mr. CONNALLY] rests itself almost exclusively upon that wholly mistaken premise.

Many people have been led to believe that the retention of the arms embargo necessarily involves the abandonment of cash and carry on all other commodities and the abandonment of other new restrictions in the pending bill. That is not true. You who present the new proposal can, under your theory of things, add every one of these protections without disturbing the arms embargo at all—and I can and will support you in many of them, under my theory of things, as I shall presently indicate. The sole question in basic controversy is whether we shall also retain the primary protection of the arms embargo. Why do you eliminate the existing safeguard if, as you say, you only want more safeguards? Why not have both? Why is it necessary for us to sell munitions to belligerents in order to be safe?

Since we all start with an apparent agreement that all of our objectives are pacific in intent—passing for the moment the question of their actual effect—it is perhaps unnecessary to labor the stupendous importance of keeping America out of this war. But unfortunately there are rival emotions in most American hearts—upon the one hand, a deeply sympathetic urge to help one belligerent against the other; upon the other hand, an urge to keep ourselves bombproof and aloof. Again, there is a school of thought which conscientiously promotes the persuasive but, I believe, utterly treacherous doctrine that we can do many unneutral things short of war to help our favorites—as though we might successfully be half in this war and yet safely stay half out. Yet, again, there are those who would mend our faltering economy—even the President's recent message plaintively touched the rim of this cash-register suggestion—by reaching for war orders and war profits behind a shield of technical but highly transparent and fictitious neutrality. And, again, there is the group that is so righteously sensitized to the cause of one belligerent against the other—feeling that its cause is our own, which feeling I can fully understand—that they do not wholly reject the hazards of our own involvement if worst unexpectedly comes

to worst in Europe's mystifying cabinets and on Europe's mystifying battlefields.

In view of all these competing, collateral emotions—each one of which tends to dull the tenacity of our resolution completely to insulate America against involvement in this war—a little time is not misspent if we linger for a brief moment upon the consequences if, through the omission of any act of effective neutrality or through the commission of any act of entangling unneutrality, America once more finds herself pulled into Europe's wars. It may serve to steel our dominating purpose to keep out, regardless of these other considerations; and keep out we must, unless our own American sovereignty and our own American security are challenged. Against the possibility of such a challenge, Mr. President, I will join in a national defense which shall be as impregnable and as invincible as we can make it—a frontier of democracy in this western world which never can be successfully assailed. But I do not believe it is necessary that the challenge should ever come.

There are many who are not too earnest in their fears about our involvement in this war, and I do not speak of them invidiously. Suppose this thing should happen. Let us look at the net result.

The last war cost us 40,000 American boys killed in action. Their crosses dot the skyline of futility. This present one, says Colonel Lindbergh, would cost us a million boys. The last war cost us 192,000 wounded, 76,000 who died of disease, and 350,000 more who now deserve and receive disability allowances. The next war, if Lindbergh is remotely right, would infinitely multiply this sacrifice. The last war cost us at least forty billions in money, including fourteen billions which our erstwhile Allies still owe us 25 years later, all debtors except Finland having suspended all pretense of liquidation. This war appears to relegate the collection of these debts—without adding any more to them—to the ledgers of the millennium. We did not make the world safe for democracy. We did not win a war to end all wars. These vivid, idealistic invitations—then, as now—were emotionally persuasive but tragically sterile. We won the war, but we lost nearly every objective for which we fought. Indeed, we did not even know for what we fought. Before we ever fired a shot, the spoils of our joint victory had been prepledged in sordid, secret treaties concerning which neither our people nor even our Congress knew a single thing. It was a shell game in more than one meaning of that phrase. Let us remember that, my countrymen.

Europe's imperialistic power politics have been devious with deep intrigue for a thousand years. They always have produced wars, and apparently they always will. They are beyond our ken. We found out in 1917-19 that we did not know what went on behind the scenes in Europe even when we thought we knew. There is even less assurance on that score today. For example, Soviet Russia within the last few tragic weeks has been strenuously wooed alike by both belligerents in this cataclysm—the defenders of democracy being no less eager than the anti-Comintern to expediently clasp communism to their bosom in this lust of war. This ideology which we hear about—and which is pleaded to our interest—seems to be a dangerously fluid sort of thing. Frequently it seems to depend upon "whose ox is gored." The only thing of which we can be absolutely sure is that it will be our ox if he strays into these pastures of dissension.

All we got out of the World War—if you call it "getting"—was the Treaty of Versailles, which we declined, even then, to approve. The provocative Treaty of Versailles! It was depicted in horribly faithful prophesy at that very time by the London Herald, which cartooned Clemenceau leaving the council chamber where the treaty had been signed, and stopping quizzically, with one ear cocked, to remark, "Strange, but I thought I heard a child crying." And hidden from the peacemaker's view by a pillar was the class of 1940 which now answers reveille.

Not our "class of 1940," I fervently hope and pray, Mr. President, if any word of mine can make it otherwise.

To those Americans who are not too unwilling to believe it may be necessary or wise for us not only to scrap the arms

embargo, but even to go further in support of one belligerent today against the other, I ask, what would we, what could we get out of participation in this new war, even on the assured presumption that we would emerge victorious? What would we get?

First, we would get such a regimentation of our own lives and livelihoods, 20 minutes after we entered the war, that the Bill of Rights would need a gas mask, and individual liberty of action would swiftly become a mocking memory. This is not hyperbole. Scan the Army's industrial mobilization plan, for example. We have previewed it here in Congress. I quote a few typical sentences from a recent authentic newspaper review:

Labor and business would be regimented. * * * Strikes would be outlawed. * * * Employers would be told by Government what wages to pay and hours to work; what prices to charge; what profits to make. * * * The Government would dictate costs, prices, interest rates, rents, etc. * * * Light, heat, food will be rationed—

And so forth. Another columnist says:

It is the complete disappearance of an individual's or a corporation's liberty of choice and action—social and economic—which reveals how closely the United States will resemble a Fascist country controlled by a Mussolini or a Hitler.

Let no one distort what I am saying. Specifically I am not charging, even by remotest inference, that this administration has some malignant purpose to chain our freedom through its abuse of war powers. I am simply saying that these chains are inherent in the new war technique all around the globe, and that our own official expectations, in some quarters, anticipate this mold. What has already happened in England? Here is a headline from last week: "British Find Liberties Vanish With War; Traditional Freedom is 'Blackout.'" We should not avoid these blackouts here. In the name of another war "to save democracy," we should have to strangle democracy in our own land and erect an American paraphrase of the cooperative state—the very plan of life against which we universally rebel and against which presumably we would be making war. One step in this direction inevitably invites another. It requires little imagination to conjure the ultimate picture. If the war went long enough, I doubt whether we should ever get the Republic back. When we head for war in its contemporary version we head for chains.

Second, we should come out of the victory with an infinitely pyramided debt. If the war dragged on, the debt would not be long in staggering toward \$100,000,000,000. It never could be carried or repaid. Repudiation or ruinous inflation would be inevitable. Our economic values would collapse. Nothing but all-powerful central government could save the pieces. We should ultimately understand what old King Pyrrhus meant when he said, "Another such victory and we are lost." We should win another war and lose another peace. Nobody can win anything else.

Discount as you please, Mr. President, this prospectus and its dread casualty rolls, nevertheless, it approximates the outline of our destiny in some degree if we go to Europe to fight another European war. We shall be ready to face even these extremities if ever it is honorably necessary in defense of America and her institutions and her security. But before we dare to think of any other obligation or any other objective than our own security and the security of this Western Hemisphere, before we dilute our own grim determination to stay out of this war and not to yield to any other motives, no matter how nobly meditated, let us frankly count the cruel cost. Let us face it with hardheaded thought.

Before we dream of war booms, let us remember the devastating boom deflations which irresistibly follow as gloomy night pursues departing day.

Before we speculate with measures short of war, let us remember that this equivocal phrase inherently defines a nearer approach to the thing we unitedly say we propose to avoid. Let us learn our lesson, as the British Winston Churchill wrote some years ago:

Never, never, never believe that any war will be smooth and easy, or that anyone who embarks on the strange voyage can measure the tides and hurricanes he will encounter; and the statesman who

yields to war fever must realize that once the signal is given he is no longer the master of policy but the slave of unforeseeable and uncontrollable events.

Let us not see how close we can squirm toward these unforeseeable and uncontrollable events by so-called measures short of war, comforted by the blind infatuation that we shall always be able to pull back from the tides and hurricanes.

Before we yield to our deep attachments, often born of precious blood inheritance, to other nations in the older world, let us kneel at the altars of our own America and faithfully hold her safe above all else.

Before we try, even by specious indirection, to save democracy across 3,000 miles of sea, let us be sure we have saved democracy right here at home; and so far as democracy as a world institution is concerned, let us ask ourselves whether we do not best serve this noble cause by making sure that in at least one hemisphere there remains one torch of hope to light the way to high, safe ground where human liberty may survive in progress, happiness, and peace.

Before we abandon the benediction God gave us when He bounded our America with two great protective oceans, let us preserve this divine insulation for everything it is worth to the last healing degree.

Before we once more involve ourselves in Europe's destiny let us remember Washington's Farewell Address, which is rich with truths that time itself cannot erase:

Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?

Before we yield to the temptation to implement our righteous indignations as we view these bitter scenes 3,000 miles away, let us ponder that other warning bequeathed to us out of the heart of the Father of his Country:

The nation which indulges toward another an habitual hatred or an habitual fondness is in some degree a slave.

There is that word "slave" again.

It is a slave to its animosity or its affection, either of which is sufficient to lead it astray from its duty and its interest.

Please God that we shall not be led astray.

Ever since the President's famous Chicago speech suggesting that we join in what he called quarantining aggressor nations, we have intermittently wavered in our traditional neutrality, and in one notable instance the statutes upon this latter subject have not even been invoked. It is entirely human—and a credit to our sensibilities—to give vent to our outraged emotions from time to time in the presence of broken liberties and broken lives beneath other flags. But surely our paramount responsibility—every minute of every hour in every day—is so to maintain our national attitudes that the wars of others do not needlessly come to us, and that whatever destruction happens elsewhere may not needlessly happen here. This is not our war. We did not start it. We have no control over its course. We cannot dictate its conclusion. We cannot order Europe's destiny, not even if we took it as a permanent assignment. It is not our war, despite our devotion to democracy. It need not—it should not—become our war. We should deliberately and consciously stay all the way out unless and until we are deliberately and consciously ready to go all the way in.

There is no implication in these words that the Senate sponsors of this pending legislation are any less concerned about peace than are we who oppose them on this arms-embargo issue. I plead, chiefly to my fellow citizens and the country at large, the menace of war to America solely to emphasize the fateful importance of never toying with the idea that somehow it might have compensating advantages. I do not speak of peace at any price. I reject that doctrine as wholly un-American. I speak of peace only at the price of scrupulous neutrality and an incorrigible effort to maintain it. While perfecting the national defense of a people that shall be invincible in the righteousness of their democracy, I simply plead that peace shall have the benefit of every doubt.

This brings us squarely to the pending issue. Are we less likely to become involved in this new World War and its

consequences if we faithfully maintain the neutrality code which we said 2 years ago would govern our attitudes in the event of alien war, and if, under this code, we refuse all arms, ammunition, and implements of war to all belligerents? That is one point. Or are we less likely to become involved if we change the code, for the admitted benefit of one belligerent against the other, and if we become armorers for one against the other?

It seems to me that the question answers itself. I cannot escape the profound conviction that the change must inevitably be less safe, less insulated, less calculated to achieve the American detachment to which we all say we are devoted. I do not say repeal precipitates us into war. That is not necessary to prove my point. I say that as between the two alternative courses available to us as to arms, ammunition, and implements of war it must obviously be relatively safer for America to pursue neutrality precisely as we solemnly declared 2 years ago we intended to pursue it under just such circumstances as we confront today; that it must obviously be relatively safer to decline all sale of all arms, ammunition, and implements of war to all belligerents than it possibly can be if we turn our harbors and our wharves into market places where these alien belligerents will struggle for this merchandise of death. In the long view, I do not believe we can become an arsenal for one belligerent without becoming a target for the other. Therefore, in addition to the larger and paramount consideration that the embargo is the symbol of an essential attitude, I am opposed to the repeal because of its specific hazard. Where the bill creates additional restraints upon ourselves, without reference to the belligerents, I applaud its trend, and I should welcome a chance to accept many of these new insulations which would not change the rules in the middle of the game, so far as the equal rights of belligerents are concerned. So would practically every man who stands at my side in this battle. It is not a question of rejecting what you propose. It is solely the question why, in God's name, is it necessary for us to reject a complete embargo upon munitions of war in order to accept what you propose? And I have yet to hear one side of a rational answer to the question.

But, in my view, all of these new devices combined cannot possibly compensate for the major loss which is confronted when the arms embargo is repealed. If we are all in dead earnest in our pursuit of insulation, why repeal anything? Why not add to it? I do not believe the pending measure, so long as it is trade-marked by repeal, so long as it carries upon its face the amazingly indefensible proposition that the only way America can be saved is to sell arms to belligerents, serves the welfare of our democracy. I do not believe it even serves the ultimate welfare of those particular belligerents whom it is supposed to favor, for reasons which I shall subsequently explore. I do not believe it answers the prayerful desire which dominates the Nation's purpose. I think it is dangerous and grossly unwise. Feeling more intensely about these things than I have ever felt about any other issue, my people, including those who in substantial numbers honestly and sincerely disagree with me, will expect me to stand my ground regardless of consequences. And that I shall do.

I have said I think a majority of the American people, regardless of their wholly preponderating sympathies with England, France, and Poland at the moment, are opposed to the pending joint resolution. Perhaps not. The so-called Gallup poll suggests that they swung from 57 percent in favor of repeal of the arms embargo last April to 50 percent in August, back to 57 percent in the recent September count, and up to 62 percent last week end. If this is true, it shows how public opinion vibrates with changing emotional reactions. I think the vibration would be in sharp reverse if the implications of repeal were fully understood, and if the question itself were not submitted by Dr. Gallup in wholly prejudicial style. Be that as it may, I know what my own amazing mail from Michigan has shown during the last 2 weeks. It is heavier mail than in any three previous instances combined where the people themselves have been deeply moved to speak. It is representative mail. I think without exaggeration it is 95 percent opposed to the repeal of the arms embargo.

It would be silly for proponents of repeal to dismiss all this avalanche—reproduced in every office in the Senate—on the convenient assumption that it is inspired by prejudicial propaganda. No, Mr. President; my mail is not that kind of mail. It is often written with such individual fervor and conviction that no one could mistake its meaning. If it is the result of orders from somewhere, I think the orders are coming from the American conscience and the American heart. For example, in passing, I invite the hysterical columnist who recently was content to classify all these correspondents as either pacifists, star-spangled Fascists, or Communists—I invite her to assign the Michigan Department of the Disabled American Veterans of the World War, with its uncompromising stand in behalf of the existing law, to one of her three prejudicial categories.

No, Mr. President; I am convinced that a majority of the American people, regardless of their sympathies, reject this pending step—despite the great concessions to our insulation viewpoints which are offered as compensation for striking down the greatest insulation of all. But regardless even of that consideration, still I should stand my ground because I believe it is my duty to America, to her democracy and to her mothers' sons, and because I believe the logic of our position against repeal is invincible.

Let us see about the logic.

In 1935 Congress passed a neutrality code, including the arms embargo. In 1936, Congress amended the code but did not touch the arms embargo. In 1937, Congress reenacted the neutrality code and reenacted the arms embargo as it stands in law today. That was no snap judgment. It could not have been. It was preceded by several years of study into all the ramifying phases of the subject. It was done after complete exploration in which the President, the State Department, the House and Senate all participated. It was done because both Congress and the country were unwilling longer to depend solely upon so-called international law as a rampart to protect us against other peoples' wars. We knew there would be other Old World wars. There always have been. Perhaps there always will be. We did not pass this neutrality code, as has been repeatedly suggested upon the other side in this debate, in the expectation that it would stop their wars. We passed it so that when their wars should recur they should not recur to us.

Old World wars seem to be an endemic continental curse. We wanted better insulation against this deadly contagion. We knew that inscrutable power-politics in Europe constantly involve clashing rivalries—imperial rivalries—which are none of our concern and which we can neither fathom nor police. We knew the power of propaganda, over here as well as over there, to draw us in whenever these alien crises should continue to arise. We knew, too, the acquisitive lure of war booms. We wanted new protections. We were not thinking of France or England or Italy or Japan or Germany or Russia. We were just thinking of America. We wanted America to be a little safer against exposure to foreign war.

I repeat, we were no longer willing to rely exclusively upon international law. In his able message of September 21, the President constantly pleaded for a return to this international law. Indeed, he has significantly indicated that if he could wholly have his way, he would repeal all neutrality statutes and go back to complete reliance upon international law alone. He said, "It has served us well for nearly a century and a quarter." I am not so sure. It certainly was the precise law under which we got into the World War in 1917; and it certainly would not be serving us well if it should reproduce that calamity in 1939. It is highly confusing, furthermore, to compare the President's appeal for international law with this pending proposal which, in its repeal of the arms embargo—in the midst of a war—itsself violates international law. Be that as it may, Congress and the country—and the President himself at that time—were unwilling longer exclusively to lean upon this broken reed. The final, cumulative result was the Neutrality Act of 1937 which is built around the embargo upon export to any belligerent of arms, ammuni-

tion, and implements of war. That is its symbol, its genius, its paramount identification. That is the one thing that has remained constant in the law from start to finish at the insistent demand of Congress itself. An attack aimed at its arms embargo is an attack aimed at the heart of the neutrality code itself, and that is the precise attack that is being made today.

The neutrality code, as it stands in our statutes, and the arms embargo, as it exists at this moment in our statutes, passed the Senate—only 2 short years ago—by a vote of 63 to 6. They passed the House of Representatives by a vote of 376 to 13. Where were today's critics of the arms embargo then? They were voting "aye" upon the roll call. Praising the embargo and helping to write it into law. Rarely has there ever been such unanimity of congressional opinion. The President signed the bill, an act which he says he now regrets. His regrets do not change the record. Neutrality cannot be maintained around regrets. International law does not recognize them. Neither does it recognize the theory that because he began regretting as long ago as last January the Government itself had spoken in denouncing the act before this war began. The Government still necessarily includes Congress. Congress has never denounced the code or the embargo. They are sovereign at this moment. Their passage was overwhelmingly ratified by popular opinion. The people wanted this defense. The truth of the matter is that to indict the wisdom of this neutrality code and the arms embargo is to indict the whole Congress, the whole Government, and the whole body of American public opinion when it was in position to deal with the subject impartially and objectively 2 years ago. It was simply and wholly pro-America. Its motive and its character and its authority cannot be altered by any events abroad. It is still exclusively pro-American today. It is still exclusively pro-peace.

We established a great, new, dynamic principle in healthier and safer international relationships when we decided to close our arsenals to alien warriors, as great a principle as that in the Kellogg-Briand Pact outlawing war as an instrumentality of national policy. In the house of its sponsors and its friends it should not be allowed to suffer the latter's fate in its first impact with reality.

We deliberately notified the world precisely what our American attitude would be in the event of future alien wars. We were not thinking then of any particular belligerents. We were not writing the code to favor any one against any other belligerent. We were not trying to equalize the war resources of any two belligerents who might subsequently clash; that was and is none of our neutral concern. We were thinking solely of America and her insulation. We were thinking solely of neutrality at a time when we could think solely of neutrality, which is wholly impossible today. We had no friends to reward; no enemies to punish. We were not legislating in anticipation of any particular conflict. We were not trying to be in some war by proxy while snugly staying out in apparent fact. We had just one, simple pure, undiluted aspiration—neutrality, neutrality. Not because we were afraid. But just because we were prudent.

We said to all subsequent alien belligerents: "We shall have one rule, and it will apply to all alike." This is the rule: "We shall sell no arms, ammunition, or implements of war to any belligerent, no matter who it is and no matter how it is affected. You can all make your plans accordingly," we said to every foreign power on earth. "If our ultimate attitude is of any concern to you," we said, "we tell you now what that attitude is going to be. America is not going to be the arsenal for any belligerent so far as munitions are concerned. The ultimate effect upon you"—speaking to the whole external world—"is none of our ultimate concern, so long as we scrupulously treat you all alike according to the notice which we now serve on you. We are not dealing with the effect of our neutrality on your war. We are dealing solely with the effect of your wars upon our neutrality, and that is the only thing we have any right to consider. We are seeking singly and solely to determine how we can best deserve and preserve immunity whenever foreign wars—foreign to us—engulf

others. We shall sell you no munitions. Munitions get us into trouble. It makes no difference how rich you are or how powerful you are—we tell you now, we shall sell you no munitions. And we are being doubly faithful to fair play by letting you all know in advance what our course shall be.”

We wrote the rule ahead of the necessity for its application—the only time when truly neutral thought can precede truly neutral action. Now, if I may drop into idiom, we are asked by the pending measure to repudiate that whole conception, and to prejudicially change the rules in the middle of the game.” What we said in overwhelmingly supported statutes, what we solemnly and repeatedly said we would do under a subsequent set of given circumstances, we are now asked not to do when the circumstances eventuate. When we pass this bill, when we repeal this arms embargo, we have abandoned our own solemnly announced conception of what our neutrality ought to be, no matter what aliens should be involved. As measured by our own conception of neutrality, set down by us in existing law, we take our first step away from neutrality. We must in some degree move in the direction of involvement, because any step away from neutrality must be a step in the other direction. It must have this other direction. We cannot face two ways at once. It is futile to try.

The frankly conceded purpose of the change is to reach into the existing arena of foreign war and, by American action, to alter the relative resources of the belligerents. There cannot be any question about that. The relative resources of the belligerents have nothing to do with our neutrality. It is not our neutral concern. It is not neutrality which speaks in such a fashion; it is the unneutrality of our hearts which thus strives for a new formula that may implement our sympathies and yet seems to preserve our insulations against actual involvement. Our perplexity is that these rival aspirations—here and throughout the country—are struggling against each other for supremacy. We hunt the “no man’s land” of a middle ground. The pending joint resolution is the wishful answer. But, Mr. President, I think it is precisely the sort of situation which Shakespeare had in mind when he spoke of “keeping the word of promise to the ear and breaking it to the hope.” It is my own deeply considered view that there is no such middle ground upon which a neutral America may safely and wisely take its stand. The arms embargo is the dominating symbol of the neutrality which we almost unanimously said we would preserve. Its repeal must be the dominating symbol of a conscious drift away from neutrality as we ourselves defined it. If we drift away from neutrality, whither do the currents trend? Who can adequately assure us that the British Churchill was wrong when he said:

The statesman who yields to war fever—

And weakened neutrality certainly is one of the early symptoms of war fever.

The statesman who yields to war fever must realize that once the signal is given, he is no longer the master of policy, but the slave of unforeseeable and uncontrollable events.

There is no possible American involvement on the other hand in the retention of the arms embargo. There would have been no prejudicial battle of inflammatory headlines in all the alien newspapers of earth if we had calmly and consistently proceeded to live and act—as we solemnly agreed to live and act—under the neutrality code. It never would have occurred to anybody that we were trying to influence alien destiny. No one would have suggested that our purpose was pro—anything except pro—America. And that is the sole purpose of myself and my associates at this critical hour. If any at home misjudge these motives, it is as unfortunate as it is unfair. If any abroad misjudge these motives and read into them an extent of alien friendship which does not exist, they reckon without their hosts and they will count upon us at their peril because American people are not going to war. That is one of the great vices of this situation—one of the reasons why it would have been infinitely better if the repeal had never been proposed. No matter how carefully the President and the

proponents of repeal hedge themselves about with dedications to our American noninvolvement just as earnest as our own, we know that repeal will be construed abroad as the fruition of a deliberate purpose to help one belligerent and—let us say mistakenly—as encouragement to believe that we may later come closer to the battle line if necessity requires; and no matter how sincerely we who oppose repeal may make it indubitably plain that we are opposed—as God knows I am—to dictators and to ruthless conquests and to all the bitter fruits of these, we know that the failure of repeal will be construed—again mistakenly—as an intentional aid to the other belligerent.

Ah, yes, it were better that the issue never had been raised at all. But, being raised, we had better stand the only ground upon which there is no reason or right for anyone to misconstrue the congressional purpose of 1935 and 1936 and 1937 to be neutral in behalf of noninvolvement. No one can put a motive into the mind or purpose of Congress 2 years ago when this code was perfected, so we had better stand upon the code as it was born of motives that are impreguably unassailable. The arms embargo is the symbol of that attitude. And I confess the mystery grows upon me as to why anyone thought it was worth while to raise the issue—if our continuing neutrality is the sole concern—because most experts agree that the arms, ammunition, and implements of war which repeal will turn loose—if that is all that is involved—cannot possibly seriously influence the war’s result. Why change unless we really intend to influence the result? If we intend to influence it, how far are we prepared to go? If we are not intending to “go,” why start? We intend to be either neutral or unneutral. We intend to be either in or out. We cannot be both. Yet if Dr. Gallup’s polls prove anything at all, it proves that most of our repealists are sitting on the horns of this dilemma.

In his recent message the President said:

The essentials for American peace in the world have not changed since January.

I submit that we might have gone much further. The essentials for American peace—if that be our sole objective—have not changed since the neutrality code was written and the arms embargo was pronounced. The code, I say again and again, is the symbol of our noninvolvement. To change the symbol is to change the attitude. I care not with what words it may be clothed.

When once the process of change begins, when once we have broken down our resolve to stand upon our own legalized conception of our own neutrality, no man knows where the process of change may end.

Is my philosophy of action wholly novel? Is this the first time it has been asserted that neutrals who desire and intend to stay neutral should not—again borrowing the idiom—“change the rules in the middle of the game”? That is, change them prejudicially to one belligerent or the other. Do we thus in some way collide with that international law for which the President so eloquently pleads? Oh, no. On the contrary, the collision comes when we do what is now proposed. For example, the famous Roscoe Pound, former dean of the Harvard Law School, is quoted in the Detroit Free Press of September 23 as—

Warning that America, if it changes its Neutrality Act so as to assist one belligerent, will in effect be in the war.

Those are not my words, but the words of Dean Pound.

Again, an Associated Press dispatch from Syracuse, September 21, quotes Henry S. Fraser, who was technical expert to the League of Nations committee for codification of international law:

There is an established principle of international law that a neutral may not, after the outbreak of war, change its legislation for the purpose of assisting one of the belligerents.

Kindred authorities are so numerous that it is needless to extend them here. Suffice it to present one exhibit out of our own official records.

In 1914, upon motion of a distinguished Democrat, Mr. Hitchcock, of Nebraska, it was proposed in the Senate of the United States that we should establish an arms embargo

after the World War was already under way. British experts promptly told us it would be unneutral thus to "change the rules in the middle of the game." I read the message of Ambassador Page to our State Department from London on December 11, 1914:

Sir Edward Grey unofficially expressed the hope to me that the bill introduced by Mr. Hitchcock will not pass. * * * He calls attention to the fact that this would be special legislation passed while a war is in progress—

Note the basis of the protest because it precisely fits today's procedure—

Special legislation passed while a war is in progress making radical departure from a long-established custom and that for this reason it would be an unneutral act toward the belligerents that can profit by it.

Well, the American Government agreed with Sir Edward. It resisted all efforts to change the rules in the middle of the game in a fashion unequally affecting belligerents. The American Secretary of State, writing to the German Ambassador on April 27, 1915, said—and this is official American doctrine:

This Government—

This is the American Government speaking—

This Government holds * * * in view of the present indisputable doctrine of accepted international law, that any change in its own laws of neutrality during the progress of a war which would affect unequally the relations of the United States with the nations at war would be—

What?—

would be an unjustified departure from the principles of strict neutrality by which it has consistently sought to direct its actions.

Mr. President, that is good enough for me. The experts can pursue these legalisms as far as they please. A layman cannot escape the impact of this quotation. If the United States continues "consistently to direct its neutrality" according to its own interpretation of "indisputable international law"—namely, that it cannot change its own laws of neutrality during the progress of a war in any fashion which would affect belligerents unequally—then it cannot lift the arms embargo without becoming unneutral, according to its own indictment. That is my whole proposition at this point. I do not believe that unneutrality—no matter what you call it—is the safer or the wiser road to peace. If and when, if ever, we are ready frankly to discuss unneutrality, there will be many things to talk about besides the arms embargo, because war itself will be a much closer contemplation.

Whatever substitute is now offered, in the pending bill, for the old law is, of course, important. But it is of secondary concern. The fact that it is a substitute is the all-controlling consideration. I hope I have made plain my belief that until the arms embargo is restored no alternative devices—no matter how restrictive, no matter how nobly meditated—can warrant support of the pending bill. The embargo is the telltale symbol. But I want briefly to discuss the substitute because, in some phases, it serves to dramatize and emphasize what peace loses when the embargo goes. The committee majority and the authors of the new measure have obviously made an extreme effort in attempting to exchange new insulations for old. At some points they have become far greater isolationists than any of us dreamed of being when we wrote the 1937 code. They dismissed practically all of the President's suggestions for neutrality by Executive decree. They created what are virtually new embargoes—certainly on shipping and perhaps on finance—to try to offset the loss of the one on munitions. Contemplating the probable results, I confess again that I cannot comprehend why an arms embargo is so repugnant to those who are quite willing to go to these new, unprecedented, restrictive extremes. I regret more than ever that the committee declined, for some undisclosed reason, to request an opinion from the Secretary of State regarding the new bill, and that the Secretary declined an opinion when I personally requested it myself. But I want particularly to refer to cash and carry in the new scheme of things.

Mr. President, cash and carry was not born in the little caucus which wrote the pending measure. Or no! Cash and carry was born as part of the Neutrality Code of 1937, in which it permissively applied to certain articles and commodities other than the limited category of arms, ammunition, and implements of war. We who are standing in opposition to repeal today in most cases were fervently urging cash and carry at that time upon all commodities except munitions; and we still urge it today and are prepared to vote for it. But we are not prepared to vote for it at the expense of the loss of the major insulation of all, which is to keep us out of the sordid involvement of becoming armorers to the belligerents of the world.

Unfortunately the cash-and-carry section applying to other commodities expired by limitation last May, at which time I moved to renew it. Under my philosophy of our appropriate course of action, it is still entitled to apply to belligerent exports other than munitions.

There comes the whole argument—that by clinging to the embargo we are leaving everything else at the mercy of war's vicissitudes. We do not need to leave anything at the mercy of war's vicissitudes; but why, in the name of God and common sense, in taking everything else out of war's vicissitudes, do we have to start selling munitions of war? What is there about such a course which so essentially and indispensably seems to contribute to the safety of America? I think that section 2, referring to other commodities in connection with cash and carry, was so definitely part of the Neutrality Code of 1937 that, despite its lapse for a few months, it is entitled to be considered as inherently related to that code, and that we would not be changing the rules in the middle of the game in an authentic sense by thus reenacting it. I should like to see it reenacted. But I make this controlling reservation. If the weight of official opinion in our own Government should find its reenactment to be in violation of the principle upon which I stand, I should choose the principle rather than the reenactment. But those who reject the principle could, if they please, certainly have cash and carry on all commodities except munitions, and they could have practically every other provision they are proposing in the new substitute, with scarcely any argument except in respect to details, if they would only stop trying to turn America once more into a belligerent arsenal. That is the only question in this debate, and everything else is incompetent, immaterial, and irrelevant. I think that is what lawyers say. [Laughter.]

The point at primary issue is whether or not we shall substitute cash and carry for the embargo in respect to the export of arms, ammunition, and implements of war regardless of what happens to other commodities. In a choice between cash and carry and mere reliance upon international law—as respects the export control of commodities other than munitions—I should choose cash and carry because—despite its dangers and its implications—to which I wish frankly to refer in a moment—I should consider it safer and wiser than reliance upon international law alone. Hence my relative preference at that point. But there are serious dangers and serious implications—it does no good to blink them—and when the choice is between cash and carry and complete embargo, as applied to the finished, lethal munitions of war, the choice is a totally different proposition. It seems to me that the embargo must get the decision over cash and carry. It seems to me the existing law is better and safer and wiser from every American point of view, entirely aside from the basic fact that it is the indispensable symbol of the American attitude and the American purpose.

Numerous newspaper editorials have urged that this debate be settled within the narrow limits of this one question, namely, Is the embargo on munitions or cash and carry for munitions the safer policy if our objective is to favor nothing but our own insulation against involvement and to favor nobody but Americans at peace? It is to this question that I now address myself.

Cash and carry invites all belligerents to come with their ships and pocketbooks and get their "arms, ammunition, and

implements of war." Actually—and that is, of course, the motive—it presents this privilege almost exclusively to whichever belligerent is in command of the sea. So the ships of one belligerent—probably the armed ships—enter our American harbors and tie up at our American docks and load themselves with prepaid contraband. Meanwhile what is the other belligerent doing? Precisely the same thing as in 1917-18—attempting to sink these ships with their contraband the moment they leave our territorial waters. Where do our territorial waters end? According to international law, which the President so heartily applauds, they end 3 miles at sea. But according to a recent Presidential dictum, in complete disregard of international law, they extend wherever our national interest goes; and according to our spokesman in the contemporary Pan American Conference, they may go 200 or 300 miles out to sea. So one of two things happens under cash and carry: Either we invite the war into our "front yard," so to speak, 3 miles offshore, or we try by dictum to extend the limit and proceed to quarrel with belligerents as to precisely where the kill may start. We can take our choice. The former is too close for comfort and the latter is too controversial to be safe. Is it possible that anyone can seriously argue that cash and carry is less hazardous and less likely to involvements than no trade in munitions at all?

But, they say, will not cash and carry on other commodities involve the same hazards? Have not the belligerents indicated that they will not discriminate between munitions and other commodities? Well, what of it? Is that any reason why we should voluntarily extend the hazard to include munitions, which certainly is the most complete contraband of all? If there are no shipments of munitions at all, this much of the target is withdrawn. There is less rather than more exposure—and that is the question we are now discussing. The passing of title under cash and carry is, of course, supposed to insulate us anyway. But 3 miles from shore is too close for the so-called mistakes which always seem to be happening in submarine warfare; and a controversy over our right to push this protective limit farther out to sea may too easily invite many other so-called collisions; and in whatever degree we reduce the opportunity for mistakes and collisions we have improved our own situation.

The President has argued, in this connection, that it is inconsistent for us to embargo the finished product of arms, ammunition, and implements of war while withholding it from their component parts. At first blush that might seem to be true. However true, I could not concede him the validity of an argument that we should remedy an inconsistency by abandoning a formula which is at least half right in order to embrace an alternative which is relatively all wrong. But just how true is his premise? Has there not always been a distinction between unconditional contraband and conditional contraband and noncontraband in the international law of which he thinks so highly? Have they not always been treated differently so far as the law itself is concerned? Is there not an inherent difference between these categories? Using one of his examples, is there not a real difference between the export of cotton and the export of guncotton? Guncotton is almost exclusively an instrument of destruction. Its war export is obviously for lethal purposes. Not so with ordinary cotton. It has a thousand peacetime uses. Simply because we propose to embargo direct implements of death, must we similarly embargo all the implements of peacetime industry even though the latter contribute ultimately to the total resources of a belligerent? I do not think so. Neither did Congress nor the President when they made the code of 1937. Neither does international law. But whatever the metaphysics as respects these so-called inconsistencies, the hard-headed fact relentlessly recurs that the law is the law; that we are not entitled to alter it prejudicially to others in the midst of a war; that our own self-interest is asserted by all concerned to be the business of keeping out of this war; that any substitute for an embargo on munitions is a step—be it short or long—toward war and not away from it. Indeed, the direction rather than the length of the step is its ominous factor.

But let me get back once more to that naked question as to which is safer—a munitions embargo or cash and carry for munitions; and that is the burden of the entire argument I have heard upon the other side. The embargo is safer, because any encouragement to an abnormal war boom is an invitation to one of the most devastating influences that can curse our economic life. In addition, like it or not, the economic impulse of a war-profits appetite is at war with peace. Yes; I freely concede that this agreement applies to cash and carry on commodities other than munitions, although in lesser degree, but I do not concede that this latter fact justifies the addition of munitions to the hazard. Indeed, the very fact that all abnormal war trade is tainted with this jeopardy makes it worth while to linger for a moment on the contemplation. But before I do so, I want to register this important and significant fact; while we still have citizens who frankly want war trade, and to whom, therefore, the idea of an embargo is abhorrent, be it said to the everlasting credit of much, if not most, of our industrial leadership—and this includes some of the leading spokesmen of the very munitions trade itself—that it is absolutely opposed to the wrenching dislocations and distorted values created by war booms. It knows the awful penalties of readjustment when war orders stop, and it knows the ease with which the beneficiaries of bonanza can find high-sounding reasons why war orders ought not to stop. Much of this leadership—even in the munitions field itself, I repeat—is opposed today to the repeal of the munitions embargo. So this is no indiscriminate indictment which I file as I proceed. I simply recite a bit of history by way of admonition.

We may start with cash and carry on munitions, which sounds rather neighborly and profitable and inoffensive. It almost puts peace on a chain-store basis. But alien cash is limited. One day it runs out. But we have geared ourselves to this munitions trade, and we want to keep it going. It is employing men. It is paying dividends. It is feathering nests. What happens then? I seem to recall the candid message of our Ambassador Page at London, who, in the World War, cabled the State Department on March 5, 1917:

Perhaps our going to war is the only way in which our present preeminent trade position can be maintained and a panic averted.

That was his idea of a good reason for going to war. It was a very human, though a very sordid, statement. I repeat: What happens when the cash gives out? Do we not then confront a thundering drive for credit and carry? Indeed, the pending bill takes its first piously protected squint in this direction with its limited provision for 90-day credits. Well—and then what happens when the credit gives out? Will it not then be a strident demand for loans and carry? And does not all this finally land us precisely where it did in 1917-18? And then does it not land us in the panic of 1919-20? Oh, yes; I know that a sturdy Congress can stop this sequence—if it will; and perhaps we are sufficiently chastened by our memories of 25 years ago, when we did not even get our money back. But approximately this same sequence was so definitely the 1914-17 sequence that the warning is not to be ignored. At first, on August 15, 1914, our State Department sturdily announced that loans to any belligerent are inconsistent with the true spirit of neutrality. Within 2 months, to wit, on October 23, 1914, this forthright doctrine had been conveniently shifted to discriminate between loans of money and loans of bank credit to make American purchases, still piously denying the former but condoning the latter. By September 6, 1915, Secretaries Lansing and McAdoo were saying it was necessary to permit general money loans to the Allies. Two days later the President acquiesced. One month later the first great Anglo-French loan of \$500,000,000 was made; and Andre Tardieu, Premier of France, observed:

From that time on, whether desired or not, the victory of the Allies became essential to the United States.

Now, do not mistake what I am saying. This sequence would be impossible under the pending bill—and its congressional authors intend that it shall be impossible. That is not the point. The point is that munitions and war trade and

profits, once started, are hard to stop. This same old urge is evident in some quarters today, although, thank God, in infinitely less degree. Yet some of those who ask repeal of the arms embargo have frankly talked with me regarding the opportunities for profitable trade. Even the President gingerly approached this commercial theme in his message of September 21, when he said:

From a purely material point of view, what is the advantage to us in sending all manner of articles across the ocean for final processing there when we could give employment to thousands by doing it here?

But I recall him at Chautauqua a few years back, when he brilliantly said that war profits are fool's gold, and I am sure that is the reality of his position today. Indeed, that Chautauqua speech is worth remembering. I quote:

It is clear that * * * the measures passed by Congress would, in the event of war on some other continent, reduce war profits which would otherwise accrue to American citizens. Industrial and agricultural production for a war market may give immense fortunes to a few men, but for the Nation as a whole it produces disaster.

Then the President recounted the disasters of 1917-20 and continued:

Nevertheless, if war should break out again in another continent—

And that is what has just happened—

let us not blink the fact that we would find in this country thousands of Americans who, seeking immediate riches—fool's gold—would attempt to break down or evade our neutrality.

They would tell you—and, unfortunately, their views would get wide publicity—

Ah, what wide publicity!

that if they could produce and ship this and that and the other article to belligerent nations, the unemployed of America would all find work. They would tell you that if they could extend credit to warring nations that credit would be used in the United States to build homes and factories and pay our debts. They would tell you that America once more would capture the trade of the world.

It would be hard to resist that clamor; it would be hard for many Americans, I fear—

Yes; we are finding it hard—

to look beyond, to realize the inevitable penalties, the inevitable day of reckoning, that comes from a false prosperity. To resist the clamor of that greed, if war should come, would require the unswerving support of all Americans who love peace.

If we face the choice of profits or peace, the Nation will answer—must answer—"We choose peace." It is the duty of all of us to encourage such a body of public opinion in this country that the answer will be clear and for all practical purposes unanimous.

Those crystal words are all just as true in this hour of the acid test, which he foresaw, as they were when they were uttered on August 14, 1936, when the President was praising the act of 1935 which first established the American principle of the arms embargo. I attribute no desertion of this sound philosophy to the authors and proponents of the pending bill. But I say that, unwittingly and unintentionally, they may be opening the door to another such malignant sequence of events in some degree. I say that so far as the munitions traffic is concerned the embargo on arms, ammunition, and implements of war stops the vicious circle ere it starts, while cash and carry for arms, ammunition, and implements of war starts the vicious circle that may never stop. It is just one more clinching reason why—in addition to the fundamental, symbolic principle involved—the retention of the embargo is to the relative advantage of America. It may temporarily be harder on our cash registers, but it will be easier upon our permanent stabilities and certainly it will be infinitely easier upon our sons.

I have associated myself with this theme so long that no one should be surprised to find me consistently sustaining it today. Ten years ago when the American Legion was pressing its proposals to take the profits out of war I handled its resolutions on the floor of the Senate; and I believe I am the only surviving Senate member of the joint commission which plowed the first ground under Secretary of War Hurley. I later collaborated with the Senator from North Dakota [Mr. Nye] in the sponsorship of the munitions-investigation resolution and served on the committee. I supported the Neutrality Acts of 1935, 1936, and 1937. Those suspicious and intolerant souls who have tried to find some ulterior motive

behind my present attitudes are either unfamiliar with the record or incapable of consecutive thought.

Now I want to go back to just one other allusion in the Presidential message. Much emphasis is put upon what the President calls the disastrous failure of Thomas Jefferson's Embargo and Non-Intercourse Act at the turn of the first century of the Republic's life. He says it "brought our own Nation close to ruin"—referring to the enforced collapse of our foreign trade—and of course it did. I assume the intended inference is that the embargo of 1939 might do the same. Otherwise I do not know why the alleged parallel was drawn. But is there any remote justification for such an inference or such a simile? Jefferson's embargo prohibited the sailing of any vessel from any port of the United States to any foreign port except foreign armed public ships. Any vessel, mark you, from any port. It encompassed the whole American export commerce, except on foreign armed public ships. The 1939 embargo applies solely to "arms, ammunition, and implements of war" which do not constitute more than a fraction of 1 percent of our normal export trade. It seems to me that any suggestion of a ruinous parallel between an all-inclusive embargo and a less-than-1-percent embargo is little short of grotesque. The new bill—the pending proposal—with its complete embargo on American shipping to belligerents infinitely more deserves the Presidential stigma, if it be a stigma, than the old bill—the present law—which we defend. Meanwhile I submit that there is nothing calculated to bring our own Nation close to ruin—the Presidential phrase—in our simple abstention from participating in the extraordinary traffic in munitions incidental to other peoples' wars. I think the proximity to ruin is the other way around. Meanwhile I find it is a novel thought to most historians when the President suggests that the Jefferson embargo was the main cause of the War of 1812.

But from whatever viewpoint the problem is assessed, Mr. President, I find myself always driven back to the proposition that no matter what else is involved in this bill, the repeal of the arms embargo, which is the all-controlling symbol of an attitude, is not the way to encourage America's non-involvement in this war and in all of its disastrous consequences. Because of the reasons assigned to repeal, it is the way, rather, to encourage ourselves to progressively believe that our appropriate national course is to tie our destiny with one belligerent against the other and to progressively act upon that theory as our favorite's subsequent vicissitudes may require. That is not the road to peace. Without attempting to associate him with my own specific viewpoint, I want to quote upon this point the words of the distinguished new national commander of the American Legion, Raymond J. Kelly, from my own Michigan, delivering his first post-election utterance:

The voices of more than 1,000,000 American World War veterans united in a common chorus that America must maintain real neutrality—that under no condition shall it be distorted into a deceptive and misleading attempt to take sides behind the scenes.

No one, I hope, will attempt to read me as charging deception or distortion to the authors of this bill. Again and again I pay tribute to the effort they have made to give us adequate protective compensation for the loss of the arms embargo. But they fail before they start—when they start with the repeal of the arms embargo because it is the key to the whole situation. It is our expectations that are distorted and our hopes that are deceived when we try to be neutral and unneutral in the same breath.

If we ever reach the point where the American people are substantially convinced that American destiny is unavoidably dependent upon and inseverably linked with the fate of one side or the other in a European war—which, in spite of my predilections, I strongly deny—or if we ever find one of these belligerents invading essential democracy in the United States or in this western world, then let us not be content merely to edge our way toward war in the disguise of a neutral, but let us go all the way in with everything we have got. But God forbid the arrival of such a zero hour. Meanwhile, let us stay all the way out.

Another thing: While not encouraging ourselves to depart from the solid rock of noninvolvement, let us be sure we do not encourage others to believe that the repeal of this embargo, if it occurs, is the symbol of an attitude that means more than it really does. Let the protestations of the sponsors of this bill—that their purpose is as completely antiwar as our own—be taken at face value, lest when the first step is taken away from straight neutrality, we do not find ourselves unintentionally entangled in moral commitments which may easily lead to tragic misunderstandings, even among those whom we thus propose to favor. Nothing could exceed the bitterness of disillusioned resentments upon this score. I am content to quote the distinguished ex-Senator George Wharton Pepper, of Pennsylvania, when he appeared before the Senate Foreign Relations Committee. I do not mean to infer that he approves the present law. It is by way of warning, if and when the present law be changed, that I recall his words. He is speaking of the danger of unwittingly misleading other nations as to the extent of our friendly interest—so easy in the present instance:

It would be a tragic thing if, as a result of our utterances, they were to assume commitments which otherwise they would not assume, and plunge into war for the sake of consistency and honor, and were to turn to us to make good what they understood our assurances to be, and thus put us in a position where we would either have to smilingly explain that we never had any intention of being taken so seriously, or else ourselves plunge into a war which we would not approve either as respects its necessity or its wisdom.

So I think it is important to emphasize that most of those who favor the repeal of the arms embargo emphatically insist that they have no thought of going further, and that they, too, are firmly determined to keep us out of this war. But I think it is still more important to insist that the arms embargo be left alone, so that there is no cause or excuse of any nature for anyone to believe, however mistakenly, that we may one day rejoin the European battle line.

I reject the frequent fatalistic thinking among our own people that this involvement finally is inevitable, and that the President's sudden proclamation of "partial emergency," where none exists, is the forerunner of unavoidable complete emergency born of war itself, or that our step-up in national defense is inevitably prophetic of its early martial use. I decry the weakened resistance as a result in our own state of mind. It is not the psychology of peace. It is the psychology of war. Denmark, Norway, Sweden, Switzerland, and the Netherlands, all in the very cockpit of the last World War, stayed out from the beginning to the end. As Dr. L. D. Stillwell, of Dartmouth College, said to our committee:

If little democracies within gun range of a great war can keep free, surely a great democracy protected by a great ocean can do likewise.

I reject also the notion that our American fate is arbitrarily contingent upon the European outcome; that we will be next—as it frequently is put—if collectivism wins. There will not be any next for any participants in this World War if it runs on to a conclusive military end because it will be so decimating and exhaustive for all concerned. But if there were to be a next and—conceding the improbabilities for the sake of the argument—it should be the United States, I submit that we were well advised to husband all our resources and to perfect our own unassailable defense here upon this side of 3,000 miles of sea rather than to dissipate our strength and our vitality in advance. In this particular phase of the contemplation I feel constrained to borrow Presidential language and apply it to the situation, "All we need to fear is fear itself." Certainly it would be the climax in folly for us to warp our neutrality in this war to fit the utterly remote and speculative circumstances of the next war thereafter.

Our status today must be that of scrupulous detachment. Nor is this the counsel of self-interest alone. Our greatest service to the humanities and ultimately to the cause of peace lies in the maximum aloofness which we can contrive to maintain so that our scrupulously neutral influence can ask for justice from all belligerents alike when we shall choose to ask consideration for the voice of reason. Dr. Tansill, of Fordham University, told our committee that President Wilson's peace

appeal failed in December 1916 chiefly because it was preceded by too many unneutral attitudes which robbed it of the detached and impartial authority necessary to its success. In this new crisis some voice should remain available to speak to all concerned in behalf of the preservation of civilization.

Emerson's famous apostrophe comes ringing down the years in this connection:

America is God's last chance to make a world.

Mr. President, I applaud the contemporary conferences in Panama to seek further solidarity of interest and defense in this essentially democratic Western World and I would withhold no appropriate contribution to the maintenance of these ideals to which our Monroe Doctrine was dedicated more than a century ago. This is useful action which looks toward the preservation of our own pursuits of peace. But I would not step one inch toward Europe. And certainly I would not step one inch toward Europe's wars. Therefore, as the indispensable symbol of our deliberate detachment and the master key to our defense against involvement, I would preserve the arms embargo which this pending measure would destroy.

America is free from the darkness and the horror of war. It is in no spirit of exultation that we thus note our incomparable blessings. It is in a spirit of deepest and most sympathetic pity that we contemplate the fate of others—particularly in brave but prostrate Poland, which is historically immune to permanent partition. It is in a spirit of resolute purpose to preserve democracy as it is particularly committed to our keeping in this younger hemisphere. It is in a spirit of humble gratitude that two great oceans, though much foreshortened, still relatively insulate our shores against this curse of war and the clashing European rivalries and menaces out of which it seems perpetually to grow. But it must also be in a spirit of grim determination that we shall preserve our insulation to the last honorable degree. We may disagree among ourselves as to the wisest means to win and save this benediction. But in the face of this objective we must finally be one people, of one mind, one spirit, one clear resolution, walking before God in the light of the living. [Applause.]

Mr. TOBEY obtained the floor.

Mr. CLARK of Missouri. Mr. President, will the Senator from New Hampshire yield to me in order that I may offer an amendment and have it pending?

Mr. TOBEY. I yield.

The PRESIDING OFFICER (Mr. HILL in the chair). The Senator from Missouri offers an amendment, which the clerk will read.

The amendment was read as follows:

On page 26, line 18, strike out the word "and" and insert, after the word "Commerce" in such line, a comma and the following: "two Members of the Senate, to be appointed by the President of the Senate, and two Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. A congressional vacancy in the membership of the Board shall be filled in the same manner as the original selection."

Mr. TOBEY. Mr. President, leaders in the Senate have variously estimated that it will be from 3 weeks to as much as 2 months before final enactment of House Joint Resolution 306 could be accomplished.

In addition to providing repeal of the arms embargo, the pending joint resolution sets up safeguards to keep American vessels out of war zones and forbids American merchant vessels from carrying goods to any of the belligerents. These safeguards are not now in our existing neutrality law. The greater part of the debate on the pending joint resolution will center upon the controversial issue of repeal of the arms embargo.

Leaders in the Senate and in the country have agreed that the causes which drew us into the last European conflict were the seizure and sinking of American merchant vessels carrying cargoes to the belligerents.

So far as protection against a repetition of those same causes at the present time is concerned, America stands in the same position which it occupied in 1917.

Recently England has announced to the world that it is arming its merchant ships, and Germany has replied that such vessels will therefore be considered as men-of-war, and

has warned that it will be compelled to sink such vessels without warning.

During the World War, before America's entrance into the conflict, Great Britain flew the American flag on some of her merchant vessels, admittedly to mislead the German submarines. This practice may prevail at the present time.

American merchant ships are at this moment in the midst of war zones and carrying cargoes destined for the belligerents. There is great danger that some of them will be sunk—perhaps by mistake, perhaps deliberately—tomorrow, next week, or next month.

Thus, by extensive debate by the Congress on the arms-embargo-repeal section of the bill we are holding up passage of those sections designed to keep our ships out of the danger zones. We must put first things first, and at the conclusion of my remarks I will make a motion to have those sections dealing with such safeguards made a separate bill, to be acted upon forthwith, with the understanding that the remainder of the pending joint resolution shall be taken up immediately upon passage of the safeguard provisions. On Thursday, September 28, I wrote and delivered a letter to the Senator from Kentucky [Mr. BARKLEY], the majority leader; the Senator from Oregon [Mr. McNARY], the minority leader; the Senator from Nevada [Mr. PITTMAN], chairman of the Foreign Relations Committee; and to the Senator from Idaho [Mr. BORAH], ranking minority member of the Senate Foreign Relations Committee, urging them to bring about an agreement to meet this suggestion. I read one of these letters to the Senate:

UNITED STATES SENATE,
COMMITTEE ON BANKING AND CURRENCY,
September 28, 1939.

HON. ALBEN W. BARKLEY,
Majority Leader, United States Senate,
Washington, D. C.

DEAR SENATOR BARKLEY: On September 21 the Congress assembled in extraordinary session, upon the call of the President, to deal with proposed legislation designed to keep this country from becoming involved in the European conflict.

In his message to the Congress on that day the President said, "The Government and the Nation must exert every possible effort to avoid being drawn into the war. * * * This Government must lose no time or effort to keep the Nation from being drawn into the war."

I wholeheartedly subscribe to this view and feel that the men and women of this country have a right to rely upon the Congress to adopt a course of procedure which will make for the least possible delay in enacting legislation to keep our country out of war.

The President has asked the Congress to adopt certain recommended provisions to meet the present emergency. I refer particularly to four major sections of the joint resolution. Section 1 provides for issuance of a proclamation by the President naming the states involved whenever he or the Congress shall find that a state of war exists between foreign states. Section 2 forbids American vessels to carry any passengers or materials to any state named in such proclamation, with certain exemptions, and further provides for transfer of title to goods before they are shipped in foreign vessels. Section 3 provides that the President shall define combat areas and forbids, except under such rules and regulations as may be prescribed, any American citizens or vessels to enter those combat areas. Section 18 repeals the Neutrality Acts of 1935 and 1937 and thereby repeals the embargo on arms, ammunition, and implements of war.

Senate leaders have indicated their belief that it will take many weeks and perhaps months of debate on the joint resolution before a final vote is taken. Then the measure will be reconsidered and debated in the House and doubtless again in the Senate before it is enacted into law and signed by the President. Thus, we may well expect many weeks and perhaps months to elapse before the measure is enacted into law.

It has been acknowledged by both the proponents and opponents of repeal of the arms embargo that the preponderance of debate will be with reference to section 18 of the bill, namely, repeal of the arms embargo. In other words, the time consumed by the Congress in debating the controversial issue of repeal of the arms embargo would hold up enactment of sections 1, 2, and 3 of the joint resolution so that, during the many weeks before final enactment of the joint resolution, American vessels will be allowed to continue to carry materials to all belligerents, this without transfer of title, and American vessels will continue to be allowed to travel through combat areas.

Based upon our experience preceding our entrance into the last European conflict, this makes extremely likely the sinking of American vessels in combat areas, vessels laden with goods bound for a belligerent state, with the resultant loss of American goods, American ships, and American seamen.

You can appreciate that during every hour that passes between now and the date of final enactment of the measure we are placing

American lives and property in jeopardy and that upon occurrence and recurrence of such tragedies public opinion, molded through the press, radio, and motion pictures and through passionate debates from the platform and floors of Congress, will follow the course that it followed preceding our entrance into the last World War.

Through the failure of the Congress to proceed wisely and promptly in enacting remedial legislation, we may find ourselves on the brink of entrance into a war which will cost us billions of dollars, many thousands of men, economic instability, and greatly increase the depth and length of the post-war depression in this country, with a resultant unemployment of millions of our fellow men.

I therefore urge that the Senate take up as its first order of business sections 1, 2, and 3 of the joint resolution, and such further sections as are less controversial than section 18, and that such shall constitute a joint resolution to be debated promptly and enacted into law at the earliest possible moment.

Time is of the essence. We cannot afford to delay enactment of sections 1, 2, and 3 by controversial debate on section 18, the repeal of the arms embargo. To put the matter in well-known and descriptive terms, we cannot afford to fiddle while Rome burns.

I am, therefore, writing this letter to you to urge that you join with the minority leader, the Honorable CHARLES L. McNARY, the chairman of the Foreign Relations Committee, the Honorable KEY PITTMAN, and the Honorable WILLIAM E. BORAH, to whom I am writing this same letter, to bring about an agreement which will meet with the above suggestions in order that the provisions regarding American vessels carrying goods to belligerents, passing through war zones, be enacted into law without the unnecessary and, perhaps, vital delay which would be encountered by holding up passage or enactment of such sections of the law by lengthy and controversial debate on the arms-embargo section. Immediately upon enactment of sections 1, 2, and 3, the Senate would then proceed to take up its consideration of the arms-embargo issue.

While it may be unusual for one Member of the Senate to address the Senate leaders in this manner, yet I trust you will appreciate that I am acting thus solely because I feel we should place first things first and that, as a Member of the Senate, having thought this matter through conscientiously and with a view to contingent crisis, I would be neglecting my duty if I did not act promptly and decisively in coming to you with my suggestion at this time, to the end that the Senate may promptly enact sections 1, 2, and 3 of House Joint Resolution 306 without delaying such enactment pending the several weeks and perhaps months of debate over the more controversial issue of the proposed repeal of the arms embargo.

With assurances of my highest esteem,
Sincerely yours,

CHARLES W. TOBEY.

Mr. President, the people of the country and Members of this body look back to the few weeks before the World War and urge that there be no repetition of those events which were climaxed by our entrance into the World War. The most able chairman of the Senate Committee on Foreign Relations in his radio address to the people on September 27 said:

Between March 12 and April 2, 1917, when the President asked for the declaration of a state of war, 6 of our American merchant vessels were sunk with the loss of the lives of 63 of our American seamen. The patience of the American people was worn out. The patience of the President and of Congress ended. The Congress by an overwhelming vote declared that a state of war existed with Germany.

If there lingers a doubt in the mind of any citizen as to the cause that forced us into the World War, let him read the able speeches that were made in Congress upon the war resolution.

Alfred E. Smith, in a more recent radio address to the people, said:

I believe that we should prevent the transportation in American ships of any goods of any kind, contraband or noncontraband, or any passengers to the warring nations. It is undoubtedly the absence of such a law in 1917 that brought us into the World War. There is only one way of avoiding a repetition of this experience and that is by keeping American ships and American passengers out of trade with belligerents.

The President, in his message to the people, has said:

We are trying to insulate this country against the danger of being set afire by any conflagration abroad. * * * I have passed unnumbered hours, I shall pass unnumbered hours, thinking and planning how war may be kept from this Nation.

It was with this background of thought that he said in his message to the Congress on September 21:

This Government must lose no time or effort to keep the Nation from being drawn into the war.

The administration and its leaders have urged enactment of the safeguard provisions to keep us out of war. The President has declared that time is of the essence. Certainly if

the provisions are to be enacted at all—and I join with those who believe that they should be—they should be acted upon now and not several weeks from now.

Mr. President, a motion which I will shortly make reads as follows:

I move that House Joint Resolution 306 be recommitted to the Committee on Foreign Relations with instructions to report to the Senate for its immediate consideration the substance of sections 1, 2, 3, 4, 13, 14, 15, 16, and 17 of the pending committee substitute as a complete new substitute for House Joint Resolution 306, and with further instructions to such committee to report to the Senate for its consideration a separate resolution containing the substance of sections 5 to 18, inclusive, of the pending committee substitute for House Joint Resolution 306 immediately after final action is completed in the Senate upon the new substitute referred to in this motion.

Section 1 provides for a proclamation by the President naming states involved whenever he or Congress advises that a state of war exists between foreign states.

Section 2 forbids American vessels to carry passengers or materials to any belligerent state, except states adjoining the United States, and further provides for transfer of title before goods are shipped in foreign vessels.

Section 3 defines combat areas and forbids, except under such rules and regulations as may be prescribed, any American citizen or vessel to enter those combat areas.

Section 4 exempts American Red Cross vessels from the provisions of section 2.

Section 13 gives the President the power to promulgate rules and regulations to carry out the law.

Section 14 gives a general penalty clause.

Section 15 is a definition clause.

Section 16 is a separability clause.

Section 17 authorizes necessary appropriations to carry out the act.

Mr. President, I honestly believe that every Member of this body will recognize the urgency of the situation and the wisdom in adopting the procedure which I have suggested. It would be a tragedy for this honorable body to hold up enactment of the safeguard sections regarding American vessels for weeks merely on the ground that they desire to combine this with necessarily lengthy debate on the arms embargo repeal question.

The procedure that I am urging will not in any way delay final vote on the embargo on arms provision. It will merely set up an order of procedure which will place first things first, which will call for consideration and vote on the emergency provisions before debate and vote on the repeal clause.

In view of our present unprotected situation, with our vessels on the high seas carrying cargoes to all belligerents, many now located in the danger zones off the European shores, American property and American lives are at stake.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. TOBEY. I prefer to wait until I shall have finished, if it meets with the Senator's approval.

Mr. CONNALLY. I am sorry, but I have to go.

Mr. TOBEY. Should the Senate refuse to adopt this motion, and during the next few weeks of debate on the arms embargo repeal clause, should there be a repetition of our experiences in the war zones of 1917, I say that those Members of this body who refuse to put first things first will have a serious and tremendous responsibility. It will then be too late, lives and property will have been destroyed, public opinion will have become inflamed, and we may find ourselves on the brink of entrance into another European war, the last of which cost the United States approximately \$47,000,000,000 and produced thousands of casualties and maimed.

Mr. CONNALLY. Mr. President—

The PRESIDING OFFICER (Mr. SMATHERS in the chair). Does the Senator from New Hampshire yield to the Senator from Texas?

Mr. TOBEY. I prefer not to yield.

The PRESIDING OFFICER. The Senator from New Hampshire declines to yield.

Mr. TOBEY. We shall be embarking upon a World War, the last of which, as stated by Capt. Eddie Rickenbacker, found 74,000,000 men mobilized, 10,000,000 men killed, 3,000,000 men maimed, 19,000,000 men wounded, 10,000,000 dis-

abled or incapacitated for the remainder of their lives, 7,000,000 orphans, and 5,000,000 widows.

If our ships are sunk, propaganda will play its part to get us into the war.

Let me illustrate by citing one of our outstanding experiences preceding our entrance into the last European war.

Upon the sinking of the *Lusitania* it was stated that this vessel was carrying a substantial cargo of munitions to a belligerent, and that it thus was subject to sinking by the enemy. The Daily Express, one of London's great newspapers, in an issue published 4 days after the torpedoing, said:

It is untrue that the *Lusitania* was carrying ammunition on its final voyage.

However, one American refused to believe the Express. This is described in an article published in the Sunday Oregonian of September 17 of this year, as follows:

Senator Robert M. La Follette, of Wisconsin, father of the present Senator LA FOLLETTE, said the *Lusitania* had been carrying munitions for the allied armies. Immediately terrific outcry went up against him. He was accused of being a traitor and an agent of the Kaiser. A threat was made to expel him from the Senate. La Follette stood his ground. He asked the Treasury Department for the *Lusitania's* bill of lading. He was told it had been turned over to the State Department.

La Follette demanded that the State Department show him the bill of lading. He wanted to show the country the *Lusitania* was not the peaceful merchant vessel the people thought it had been. The State Department refused his demand on the basis that the bill of lading was to be retained for diplomatic correspondence. Walter Hines Page, American Ambassador in London, urged the President to put the United States in the war at once.

In his book, Road to War, Walter Millis of the New York Herald-Tribune has said the sinking of the *Lusitania* was the first big stride in this country's involvement in the conflict. Not until after the war was the nature of the ship's cargo disclosed. Dudley Field Malone, collector of customs at New York, revealed that the *Lusitania* carried large quantities of ammunition consigned to the British Government, including 4,200 cases of Springfield cartridges. Winston Churchill, himself, illustrious English cabinet member, subsequently admitted the *Lusitania* had aboard 173 tons of munitions.

Mr. President, this is our opportunity to prevent a recurrence of our experience in 1917. Whether we shall hold up passage of these safeguard provisions throughout the controversial debate on the arms embargo repeal clause or whether we shall adopt my motion to make these safeguards into law at once and then proceed with debate on the arms embargo repeal clause is up to this body.

Mr. President, I have made the suggestion to the Senate leaders in all sincerity, motivated by one desire and one desire only—to protect this country immediately against occurrences which might again draw us into the European conflict as they did 22 years ago.

A Washington newspaper has recently quoted one of the Senate leaders as saying that he did not fall for the suggestion that the emergency provisions be disposed of immediately, leaving action on the embargo repeal section to be taken up immediately thereafter. "It would have been a smart move if anybody had fallen for it," the leader is quoted as having said.

Mr. President, has the time come in this country when a Member of this body cannot honestly make an effort to do something in the Senate which he feels is constructive and which he honestly feels is urgent in order to preserve the lives and property of our millions of citizens without having his motives smirched by such innuendoes? Nothing that I have done has any suggestion of partisan action or consideration. Nothing in my action is designed to be deceptive or to be a smart move. I am not asking any Member of this body to fall for anything. On the contrary, I am frankly asking every Member of this body to stand with me for a principle and support this move to protect our country from circumstances which are likely to draw us into war.

If my motion is rejected, and similar events take place, the people will look back to this day in the Senate and know that the opportunity was turned down by this body. The choice is ours. I urge that my motion be accepted.

In conclusion, Mr. President, as we contemplate the action which I propose, let us remember what the fruits of war are.

While 20 years have elapsed since our participation in the World War, evidence of the human, material, and financial wreckage of that war is all around us. If we would stir up our minds by way of remembrance we may go, as I have gone, to the neuropsychiatric hospitals scattered all over the country, full of shell-shocked and mentally incapacitated cases, to the cripples of America, to the saddened homes, to the crosses in the cemeteries. Observe the national debt, the decline in public morals, the body blows at democracy. All these and many others are the fruits of the last war.

Mr. President, I beseech you to recall the immortal words of Kipling, and say with me:

Lord God of Hosts be with us yet
Lest we forget—lest we forget!

Mr. President, I move to recommit House Joint Resolution 306 in accordance with my motion, which I send to the desk.

Mr. President, I have a desire to take considerable time, and a purpose, I may say also, to read to this body cumulative evidence, accelerated as it continued, from the New York Times of 1914 to 1917, containing accounts of the individual sinkings of our merchant ships; containing editorial comment, if you please, on the way passions mount in this country on the part of the American public and the American Congress, to back up my thesis enunciated today. I shall be glad to do that now, and continue thereon, or to await the pleasure of the majority leader if he prefers to recess until tomorrow.

Mr. BARKLEY. Mr. President, I ask the Senator how much time would be required to read the documents.

Mr. TOBEY. From 30 minutes to 4 hours, depending upon how I feel.

Mr. BARKLEY. Certainly the Senator is allowing himself a great amount of flexibility.

Mr. TOBEY. I need it in these times, Mr. President.

Mr. BARKLEY. I should not want the Senate to remain in session later than 5 o'clock this afternoon. As the Senator knows, a committee of nine Members of this body is leaving at 6 o'clock to attend the funeral of my late colleague Senator Logan. I rose to ask that the motion of the Senator from New Hampshire go over until those Senators can return from this necessary trip. I myself am a member of the delegation.

Mr. TOBEY. The Senator from New Hampshire is the last man in the world not to accede to any request from the majority leader to satisfy the demands, the needs, the convenience, or the desires of this group. May I ask the Senator, for my information, when he expects the funeral committee to return to the Senate?

Mr. BARKLEY. It is not certain whether they will return in time for the session on Friday or Saturday. I think it would be advisable to let the matter go over until Monday.

Mr. TOBEY. I have no other course than to yield to the request of the Senator.

Mr. BARKLEY. I refer now to the Senator's motion. I am not now referring to the preceding debate.

Mr. TOBEY. I understand. I may say to the Senator that it is near the hour of 5 o'clock. With his permission, I should like to retain the floor and read these extracts into the RECORD tomorrow.

Mr. BARKLEY. So far as I am concerned, that course is satisfactory. Of course, the Senator realizes that we are trying to arrange our program a day or two ahead, across the aisle and with Senators on both sides of the question, so that we shall not find ourselves lagging at any time during the day. When a Senator obtains the floor and does not finish his remarks, if he desires to continue them on the following day it is a customary courtesy that he be then recognized. I myself have no objection to that course.

Mr. TOBEY. I appreciate that attitude. It is what I should expect from the Senator from Kentucky. I will say that I do not desire necessarily to do it tomorrow. Any time between now and the time the matter comes to a vote will be satisfactory to me.

Mr. BARKLEY. The Senator can be his own judge as to whether or not he wishes to proceed tomorrow.

Mr. TOBEY. I now have the floor. Tomorrow I may not again obtain it. I now have the floor, and I should like to have the floor after the recess. If I should now give up the floor, it is very doubtful whether I could regain it to read these excerpts into the RECORD.

Mr. BARKLEY. I do not know about that.

Mr. TOBEY. I will hold the floor and read them tomorrow.

Mr. BARKLEY. If the Senator so desired, instead of reading the documents into the RECORD he could have them printed in the RECORD as a part of his remarks, unless he wishes to read them at this time.

Mr. TOBEY. I have some comments to make as I read the documents, so I prefer to hold the floor, and proceed tomorrow.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. TOBEY. I yield.

Mr. DANAHER. There is a very considerable degree of sympathy for the motion which has been made by the Senator from New Hampshire. There has been much public discussion upon the point. In view of the argument to which we have just listened, it seems to me of peculiar relevancy that two editorials in particular should follow in the RECORD at this point, in order that they may be readily accessible.

I therefore ask unanimous consent to have printed in the RECORD at this point an editorial from the Boston Evening Transcript of October 3, 1939, entitled "Close the Doors," and an article by Mr. G. Gould Lincoln appearing in the Washington Evening Star for October 3, 1939.

The PRESIDING OFFICER. Without objection, it is so ordered.

The editorial and article are as follows:

[From the Boston Evening Transcript of October 3, 1939]

CLOSE THE DOORS

In the interest of American peace and safety, this paper urges that Congress act without delay upon the less controversial elements of the joint resolution on neutrality.

The question of repeal or retention of the arms embargo may take a month to decide. In the meantime American ships are free to carry American cargoes into war zones or zones of danger; American citizens may travel in those areas. So long as the great bulk of American commerce and travel remains so restricted, an incident might easily occur that would sweep this Nation into war and nullify any conscious effort that the country may contemplate to protect American peace.

There is particular validity in such apprehension in view of Germany's declaration of unrestricted submarine warfare. That even Germany is aware of this danger is evident from its urgent request to the American State Department that American ships stop when signaled on the high seas.

The joint resolution now being debated by Congress is divided into sections. Section 1 provides for issuance of a proclamation by the President, naming the states involved whenever he or the Congress shall find that a state of war exists between foreign states. Section 2 forbids American vessels to carry any passengers or materials to any state named in such proclamation, with certain exceptions, and further provides for transfer of title to goods before they are shipped in foreign vessels. Section 3 provides that the President shall define combat areas and forbids, except under such rules and regulations as may be prescribed, any American citizens or vessels to enter these combat areas. Section 18 repeals the Neutrality Acts of 1935 and 1937 and thereby repeals the embargo on arms, ammunitions, and implements of war.

Senator CHARLES W. TOBEY, of New Hampshire, has been urging for the last few weeks that the Senate make sections 1, 2, and 3 the first order of its business. Prompt debate on these and other less controversial sections are being urged by the New Hampshire Senator. We believe that the Senator's position is a wise one and that the Senate should at once enact into law all of these safeguards.

It would be a national calamity if an incident at sea should prove the arbiter of the neutrality debate. Let the Senate close those doors which may be easily closed at once. There is no logic in wrestling at great length with one door that sticks while the side of the house is open to the elements.

[From the Washington (D. C.) Evening Star of October 3, 1939]

THE POLITICAL MILL—TOBEY ASKS QUICK CASH-CARRY PROVISION ON ALL BELLIGERENT-BOUND GOODS TO SAVE UNITED STATES SHIPS (By G. Gould Lincoln)

It took a shrewd Yankee to put his finger on the quickest way to make American involvement in the European war less likely—Senator TOBEY of New Hampshire. Put an immediate end, he says, to the shipment of all kinds of goods—including oil, steel, cotton, etc.—in American vessels to the belligerent nations. With such

trade at an end, danger of the sinking of American vessels and the loss of American lives, by belligerent submarines, is reduced to a minimum.

Why wait for a month or longer, Senator TOBEY asks, while the Senate debates the proposed repeal of the arms and munitions embargo? Every day of that month will hold the potentiality of the sinking—or at least the seizure—of American vessels entering the war zones. He contends that it ought to be easy to obtain quick action on the so-called cash-and-carry provisions of the pending neutrality bill—and then, with that out of the way, let the Senate give all the consideration it desires to the arms embargo.

The cash-and-carry provisions of the bill are a *sine qua non*, as most of the Senators see it, if this country is to avoid "incidents" that may force America to take up arms and play a part in the present war. It is well understood that the repeal of the arms embargo stands little chance of passing the Senate without adoption of the cash-and-carry plan as it relates to all kinds of goods as well as arms and munitions. On the other hand, the cash-and-carry proposal could be put through the Senate, it is believed, with comparatively little opposition.

It is true that some of the Senators favoring repeal and some of those opposing repeal do not believe in the cash-and-carry proposal. But the great majority of them do believe that it presents the only practical way of keeping this country from becoming involved. Opposition to the cash-and-carry plan comes also from important shipping interests.

IDEA SENT TO LEADERS

The New Hampshire Senator has addressed letters to the Democratic and Republican leaders of the Senate, to Chairman PITTMAN and to Senator BORAH, of Idaho, of the Foreign Relations Committee, urging that they join in an agreement to adopt without delay the cash-and-carry provisions of the neutrality bill. Senator McNARY, the Republican leader, has fallen in with the idea. Senator BARKLEY, the Democratic leader, says he does not consider the proposal "practical."

It is obvious that, should the Tobey plan be carried into effect, the so-called isolationists and those who are prepared to go the limit to keep this country out of the war, would be in good case. No arms and munitions would be going abroad to a belligerent nation in any kind of ships, nor any other supplies in American ships.

While such a position probably would please the isolationist group, it probably would not be so pleasing to those who are intent upon repealing the arms embargo. And yet it seems entirely inconsistent for the repealist group, including President Roosevelt, to oppose a prompt adoption of the cash-and-carry plan as it relates to all those raw materials which are so much needed—and in such great quantities. For the President was quick to call to the attention of Congress in his address at the opening of the special session that it was the shipment of these raw materials in American vessels which might bring attack from submarines—even though the arms embargo remained in full force and effect.

In other words, the adoption of the cash-and-carry plan as it affects all kinds of goods would cut the ground from under one argument which has been advanced by those favoring quick action on the whole administration neutrality bill. Furthermore, the Tobey plan will give to those who support the cash-and-carry plan as well as the arms embargo an excellent opportunity to prove this to the country. Supporters of the arms-embargo repeal have tried to convey the impression that the cash-and-carry plan is a substitute for the present arms embargo, whereas, in reality, it may be merely complementary to the embargo. Indeed, it was just that until the original cash-and-carry provision of the neutrality laws expired by limitation on May 1 last.

Supporters of the arms-embargo repeal counter Senator TOBEY's proposal for quick and separate action on the cash-and-carry plan by saying, why not have speedy action on the whole measure, including the embargo? All the while, however, it is evident from a practical point of view that speedy action is not going to be had on the embargo repeal. The opening day of the Senate debate on neutrality produced just two speakers—Senator PITTMAN, who is chairman of the Foreign Relations Committee in charge of the bill, made the first statement in support of the measure, and Senator BORAH, ranking Republican member of the committee, opposing the embargo repeal. Senator TOM CONNALLY, of Texas, slated to be the third speaker, was not ready to go on when BORAH finished at 3:45 p. m., nor was he willing that Senator TOBEY should take the floor and outline to the Senate his proposal for dividing up the neutrality bill. So the Senate adjourned.

DELAY SEEN AS DANGEROUS

The tremendous interest with which the first day's debate was followed is indicative of the fact that this is going to be no brief affair in the Senate. And yet, as Senator TOBEY argues, every day that adoption of the full cash-and-carry plan is delayed, so much more danger of the country's becoming involved in the war.

Calling upon a radio address delivered by Senator PITTMAN in support of the neutrality bill—in the National Radio Forum—Senator TOBEY bolstered his argument for quick action on the cash and carry. For, said Senator PITTMAN, "between March 12 and April 2, 1917, when President Wilson asked for the declaration of war, 6 of our American merchant vessels were sunk with the loss of lives of 63 of our American seamen." Senator TOBEY's contention is that just such a thing might happen again in the next 3 weeks.

It is true that so far no American merchant vessels have suffered from German submarines. But how long will that situation last? Some say until after the Senate has voted on the repeal of the arms embargo. This may or may not be true—particularly if the vote is long delayed. But suppose the Senate acts on the embargo and repeals it; there will be a hiatus before the new Neutrality Act becomes a law. The House must act and the bill must be sent to the President for his approval. It may be a day or a week before the bill finally becomes law. In that interval, what is to prevent the sinking of American merchant vessels carrying steel, oil, and other commodities to the allied nations?

TOBEY AWAITS CHANCE

Senator TOBEY is anxious to make his proposal to the Senate immediately. He was debarred by the attitude of Senator CONNALLY yesterday, and it looks as though he would not have a chance until the Texas Senator yields the floor. At any rate, he plans to submit a motion to separate the cash-and-carry provisions from the rest of the neutrality bill and put it to a quick vote. Such a motion, of course, is debatable. It might be held before the Senate for several weeks, if opponents of such a course wished to do so, or, if the opponents believed they could defeat it out of hand, it might be voted upon without loss of time.

Mr. BARKLEY. Mr. President, am I to understand from the Senator from New Hampshire that, regardless of whether or not he holds the floor to conclude his remarks tomorrow, the motion which he has made will go over until Monday?

Mr. TOBEY. That is correct.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate took a recess until tomorrow, Thursday, October 5, 1939, at 12 o'clock meridian.

SENATE

THURSDAY, OCTOBER 5, 1939

(Legislative day of Wednesday, October 4, 1939)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

O Master of Men, Incarnate Son of God, Revealer of Life Divine: May we have Thy mind and Thy spirit as we enter upon the duties of another day, and do Thou use us just as Thou wilt and when and where.

As Thou hast taught us, may we supplant hatred with love; where there is injury, may we bring pardon; where there is discord, may we promote harmony; where doubt and despair prevail, may we restore faith and hope; and where hearts are sad, may it be ours to minister comfort.

We thank Thee that Thou hast worn our robe of human flesh and hast revealed Thyself in the common ways of life. Give us, therefore, the courage and the reverence to seek honestly and humbly the solution of the problems that perplex us, and help us to be ever watchful for new knowledge of Thee, that, through things temporal, we may discern the things that are eternal. In Thy dear name we ask it. Amen.

THE JOURNAL

On request of Mr. PITTMAN, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, October 4, 1939, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Byrnes	Downey	Hatch
Andrews	Capper	Ellender	Hayden
Bailey	Caraway	George	Herring
Barbour	Chavez	Gerry	Hill
Bilbo	Clark, Idaho	Gibson	Holman
Borah	Clark, Mo.	Gillette	Holt
Bridges	Connally	Green	Johnson, Calif.
Brown	Danaher	Guffey	Johnson, Colo.
Bulow	Davis	Gurney	King
Byrd	Donahay	Hale	La Follette